



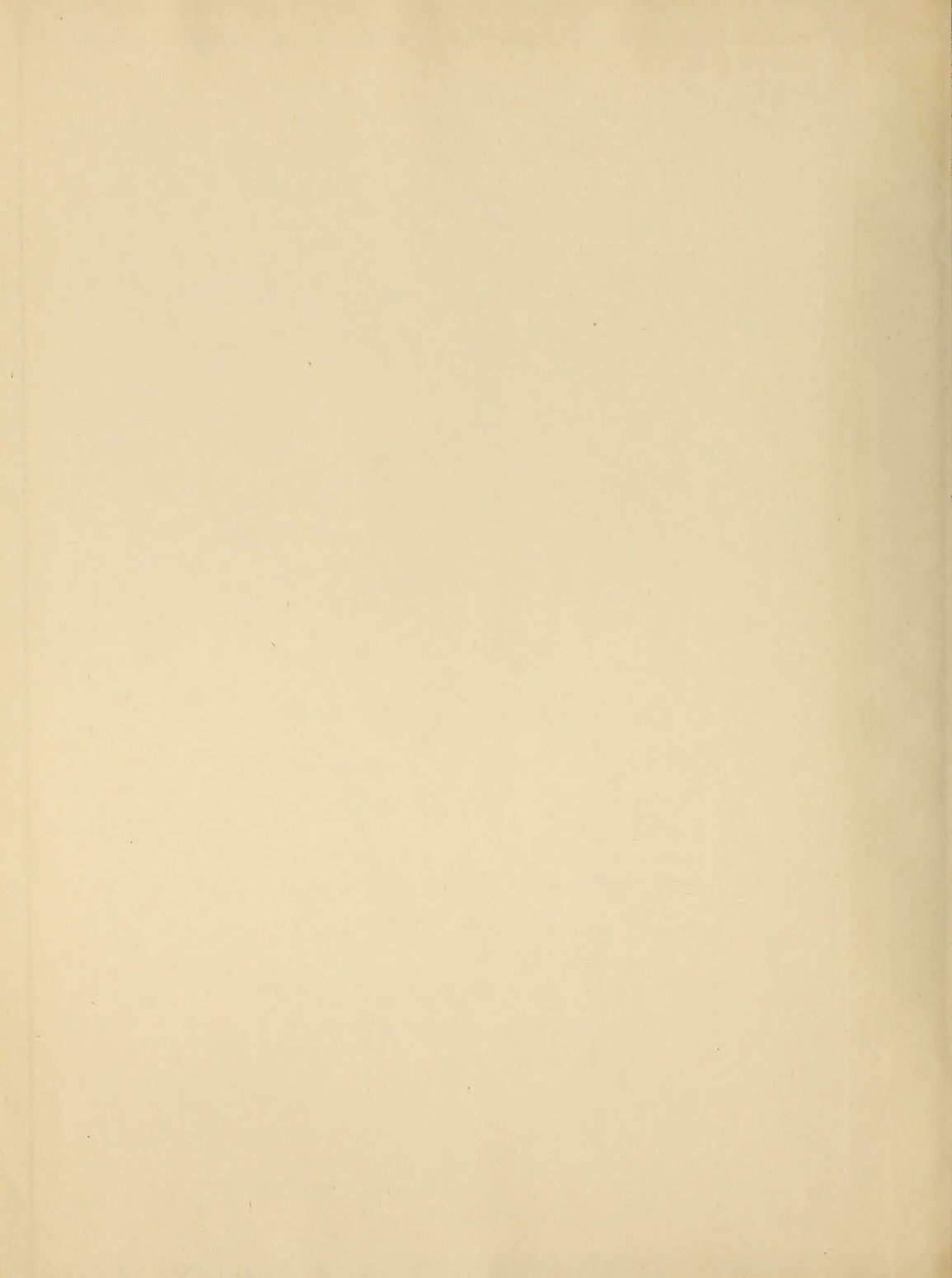
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THE DAILY NEWS

EDITORS MAY CLASH ON ARBITRATION

Arch. Co. vs. Boys. Deeds. Rights. Law.

The following is a summary of the main points of the article. The article discusses the potential for a clash between the editors of the Daily News and the Boys' Deeds. The article also discusses the rights of the Arch. Co. and the Deeds. The article concludes that the editors of the Daily News may clash on arbitration.

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Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

L. 78, NO. 65

NEW YORK, TUESDAY, OCTOBER 1, 1940

TEN CENTS

EXHIBITORS MAY CLASH ON ARBITRATION

Mich. Co-op. Says Decree Freezes Indie Evils

Filing Protest With House
Commerce Com., Arnold,
Federal Judge Goddard

Detroit—Co-operative Theaters of Michigan representing 100 independents is appealing to the House of Representatives' Committee on Foreign and Interstate Commerce stating: "All efforts of independent exhibitors opposed to the Neely Bill at hearings before your committee last Spring will be of no avail if Judge Goddard accepts and agrees to a 'consent' decree. Your committee knows this consent decree further freezes those evils the independent faces, adds additional burdens and relieves him of none of the deplorable conditions which have prevailed in the past."
(Continued on Page 3)

Neb. Ascac Hearing In Omaha Oct. 12

Omaha—Hearing will be held here on Oct. 12 to ascertain the character of the record which will go up to the U. S. Supreme Court in the action involving Ascac and the State of Nebraska.

Louis D. Frohlich and Herman Finckelstein, counsel for Ascac, are scheduled to come here the latter part of next week from New York to insist formally that the record be made.
(Continued on Page 6)

C. C. Pettijohn on Mend Following an Operation

Charles C. Pettijohn, MPPDA general counsel, who underwent an operation Saturday in St. Agnes Hospital, White Plains, was reported yesterday as on the mend. Pettijohn for some time has suffered from an internal ailment.

Dipson on Batavia Local Draft Board

Batavia, N. Y.—First theater man to be appointed to a local draft board is believed to be Nikitas D. Dipson, head of the Dipson circuit operating in New York, Pennsylvania and West Virginia. He has been named to the board here.

Reserved Seat Policy Dropped in St. Louis

St. Louis—Five-week trial of a new reserved seat policy at F & M's Ambassador, under which prices were advanced apparently didn't get the desired b.o. results, the house returning to a popular-price admission schedule this week. It still maintains the single feature bill with "Spring Parade" current.

Goldwyn Amends His UA Suit Complaint

Samuel Goldwyn yesterday filed a 154-page amended complaint in his suit against United Artists for cancellation of his distribution contract with that company. The new complaint sets up an additional cause of action which seeks \$215,000 damages for alleged interference with the distribution of Goldwyn's film, "The Westerner," which the complaint claims cost \$1,200,000.

The major part of the complaint repeats the charges made in the original one against UA, except that it reduces three causes of action of the original to two in the new.

Additionally, Goldwyn charges UA with "conspiracy."
(Continued on Page 6)

Report Sterling and FWC In Seattle Pooling Deal

Seattle—Important pooling deal involving the first- and second-runs of John Danz's Sterling Theaters circuit and the Hamrick-Evergreen Theaters, FWC affiliate, here is reported in the closing stages, following the completion of the deal.
(Continued on Page 3)

"Liberal" Film Draft Policy Actors, Technicians May Get Deferments

Excess Profits Tax Bill Revision Seen Helping "U"

Revision of the excess profits tax bill is expected to result in a much more favorable status for Universal Pictures, although no definite opinion can be formed until a final text is received.
(Continued on Page 6)

Myers, for Allied, Terms Proposals the "Best Yet" On Heels of Opposition by PCC; Preliminary Work For Establishment of Arbitration Offices Started

Clash of exhibitors over arbitration as prescribed by the proposed consent decree looms as a distinct possibility as exhibitor leaders express divergent views. This became apparent when

Kaimann Wants U. S. Probe of Union Row

St. Louis—Clarence H. Kaimann, owner of the O'Fallon, the Baden, and the Salisbury, all in North St. Louis, has asked the D of J Anti-Trust Division to conduct an investigation into the circumstances under which Kaimann was unable to obtain union sanction for stage shows he had scheduled for the three houses Saturday night.

Kaimann claims that the cancellation was due to a dispute with the A F of L Theatrical Brotherhood 6 over the employment of stage hands. Attraction scratched was the "Midnight"
(Continued on Page 3)

Will Huddle on the 1941 GWTW Distribution Policy

Policy for GWTW for 1941 distribution is scheduled to be set at a meeting this week between David O. Selznick and Metro officials. Length of the picture, price policy and numerous other details are on the agenda for discussion.

It is expected that the picture will be distributed next year at an admission scale considerably below the current scale.
(Continued on Page 6)

MPTOA to Go to Court If Decree is Accepted

St. Louis—Ed Kuykendall, prexy of the MPTOA, speaking to the Motion Picture Theater Owners of St. Louis, Eastern Missouri and Southern Illinois at the Coronado Hotel yesterday revealed his organization's opposition to the proposed consent decree.
(Continued on Page 3)

Domestic Theater Biz On the Uptrend—Wobber

"Domestic theater business is definitely on the uptrend, and the film industry may have one of the best years in its history as the industry enters the new year."
(Continued on Page 6)

Rooney as His Own Opposition Scores

Mickey Rooney, playing opposition to himself, is doing okay at both Loew's State, where he's making a p.a., and at the Capitol, where he's on the screen in Metro's "Strike Up the Band." The State management reported yesterday that over the week-end, Rooney topped the Eddie Cantor record gross, while the Capitol advised that business for the first two days of "Strike Up the Band" was 383 per cent of normal, with the week-end marked by SRO.

Washington Bureau of THE FILM DAILY

Washington—Deferment from the draft of movie actors and technicians may be extended, it was learned yesterday. Major Joseph F. Battley, adviser on occupational deferment at Selective Service Headquarters, said plans for the draft contemplated deferment of essential workers in "luxury" occupations.
(Continued on Page 6)

THE Film DAILY

ALL THE NEWS
ALL THE TIME

Vol. 78, No. 65 Tues., Oct. 1, 1940 10 Cents

JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Monday, Sept. 30)

NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Seat.				
Col. Pict. (21 3/4)				
Columbia Pict. (21 3/4)				
Con. Fm. Ind.				
Con. Fm. Ind. pfd.	7 3/4	7 1/2	7 3/4	+ 1/8
East. Kodak	133	135	133	+ 1/4
do pfd.				
Gen. Th. Eq.				
Loew's, Inc.	25	24 1/2	24 1/2	+ 3/8
do pfd.				
Paramount	6 1/2	6 1/4	6 1/4	+ 1/8
Paramount 1st pfd.				
Paramount 2nd pfd.	8 3/4	8 1/4	8 1/4	+ 1/8
Pathe Film				
RKO				
20th Century-Fox	15 1/2	15	15	— 1/8
20th Century-Fox pfd.				
Univ. Pict. pfd.	81	81	81	— 1/4
Warner Bros.	2 1/2	2 1/4	2 1/4	— 1/8
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6446	102 1/4	102 1/4	102 1/4	+ 1/8
Loew's deb. 3 1/2%	103 1/4	103 1/4	103 1/4	+ 1/8
Para. B. way 3555	49	49	49	— 1/8
Para. Pict. 6555				
Para. Pict. 3144 1/2	91 1/4	91 1/4	91 1/4	— 1/4
Warner Bros. deb. 6448				

NEW YORK CURB MARKET

Monogram Pict.				
Sonotone Corp.				
Technicolor	9 1/4	9 1/4	9 1/4	— 1/8
Trans-Lux				
Universal Corp. deb.	3 1/2	3 1/2	3 1/2	— 1/8
Universal Pict.				

Ross Federal Research Managers in Promotions

New Haven — Howard Crombie, formerly of the Ross Federal Service staff in Boston, has been appointed manager of the Ross New Haven office. Charles Leach has been promoted to the management of the Albany branch, succeeding Ralph Unks, who goes to Philadelphia. A. Warner left Philadelphia to take up duties as U. S. Army captain.

Red Cross Drive to Have Producer, Distrib. Support

The Red Cross motion picture campaign, to be launched in theaters beginning the week of Nov. 10, "will be a great service and bring to the entire motion picture industry the knowledge of a duty well performed," Will H. Hays, MPPDA prexy, said in a statement released yesterday. Drive is under the direction of Maj. L. E. Thompson.

Hays commented: "Inevitably, most of the responsibility for this effort rests on the theaters, and I want to assure all exhibitors of the full co-operation and assistance of the producers and the distributors of motion pictures to help make the campaign a major contribution to the Red Cross, which is now called upon, in addition to its permanent activities, to undertake added burdens in connection with war relief and national defense."

Dividends Due on Film Stocks Yesterday

Dividends on several film company stock issues were payable yesterday and more are payable today. Issues payable yesterday include Loew's, Inc., common, 50 cents; Marcus Loew Theaters 7 per cent, \$3.50. Twentieth Century-Fox \$1.50 conv. pfd., 37 1/2 cents.

Due today are: Consolidated Film Industries \$2 pfd., 25 cents; Eastman Kodak com., \$1.50; Eastman Kodak 6 per cent pfd., 62 1/2 cents; Keith-Albee-Orpheum, 7 per cent conv., \$1.50; Paramount common, 15 cents; Paramount 6 per cent first pfd., \$1.50; Paramount 6 per cent, second pfd., 15 cents; Pathe Film Corp., \$7 pfd., \$1.75; RCA, \$3.50 conv. first pfd., \$1.50; RCA, \$5 pfd. \$1.25.

Betty Hildebrandt Dead; Funeral Services Tonight

Rites will be conducted at 8 o'clock this evening in Universal Chapel, 52nd St. and Lexington Ave., for Betty Hildebrandt, executive secretary to Hal Horne of the Walt Disney organization, who died Sunday in Midtown Hospital following a major operation. She had been with the organization for five years, and had recently returned from a trip to the Coast.

The local Disney offices will be closed this morning as a mark of respect.

Sir Edward Beatty Heads Associated Screen News

Montreal—Following a meeting of the board of the Associated Screen News Ltd., it was announced that Sir Edward Beatty, chairman and president of the Canadian Pacific Railway, has joined the board as chairman, and that Ben E. Norrish, formerly managing director, has been named president and managing director of the company.

Greater Employment Sends Canadian Grosses Higher

Virtual elimination of unemployment in Canada has reflected favorably on the box office of the Dominion, according to H. G. Price, head of Superior Films, Ltd., of Toronto, who is in New York on his regular quarterly trip. Price said yesterday that very few persons were on relief and that war orders had put considerable money into circulation. Theaters near training camps are enjoying particularly good business.

Comedies are getting the biggest play in Canada, especially the English type, Price said, adding that anti-Nazi pictures, if not too extreme, also were well received. Generally speaking, pictures that go over in the U. S. are popular in Canada, unless the heroes are typically American as in biographical material. Among war pictures, Price said the streamlined versions of "Hell's Angels" and "Sky Devils" are getting a good play, while "Pastor Hall" and "Beasts of Berlin" are being well patronized.

Advisory Board Appointed For Cinema Lodge's Ball

Leading executives of major companies have been selected to head the advisory board of Cinema Lodge B'nai B'rith for its first annual banquet and ball at the Hotel Pennsylvania on Oct. 26, Alfred W. Schwalberg, president of the lodge, announced yesterday.

Heading the board for this affair are: Barney Balaban, Joseph Bernard, Nate J. Blumberg, Harry Brandt, Jack Cohn, Max Fleischer, Nathan Levy, Abe Montague, Charles C. Moskowitz, Dr. David De Sola Pool, Abe Schneider, Samuel Schneider, Murray Silverstone, Nate Spingold, Herman Starr, Maj. Albert Warner, H. M. Warner and Abraham S. Weber.

Stage, screen and radio personalities as well as "name" bands will highlight the ball's show.

UA Closes Product Deals With Cleveland Circuits

Cleveland—A. M. Goodman, UA branch manager, announces that 1940-41 product deals have been closed with every Cleveland circuit which includes Associated, Community, Washington, Scoville, Essick & Reif, and Co-operative theaters of Ohio. All key spots in the territory have also been closed, according to Manager Goodman.

Rivoli and UA to Fete Wanger Via Buffet Party

Management of the Rivoli Theater and UA's home office executives will jointly tender a buffet and cocktail party to Walter Wanger in the Rivoli at 5 p. m. today.

Jimmy Dunn, manager of the house, will act as host at the party.

COMING and GOING

HAL ROACH arrives here today from the Coast.

H. M. WARNER arrived here from the Coast yesterday morning.

M. A. LEVY, Kent Drive leader, leaves New York today for the Midwest.

ERICH POMMER arrived here yesterday.

WILLIAM F. RODGERS and H. M. RICHEY go to Philadelphia today, with Richey continuing on to Milwaukee and Jackson, Mich.

JOSEPH A. McCONVILLE, foreign manager for Columbia, and JACK SEGAL, of the foreign department, have left for an extended tour of the Central and South American territories, making their first stop in Mexico City.

LYNN BARI is at the Sherry Netherland.

EDWARD S. OLSMITH, of Universal's Dallas office, is at the Warwick.

DON AMECHE and his wife arrived here yesterday from the Coast.

EDWARD G. ROBINSON left New York last night for the Coast.

ELEANOR POWELL, FLORENCE ELDRIDGE, ANTHONY, PENelope and ESTHER, Mrs. March children, LAWRENCE E. COHEN, vice-president of Metropolitan Theaters Corp., and MRS. COHEN, arrive here today from Hollywood on the Washington.

GEORGE WEST returned from Hollywood yesterday.

SI SEADLER planned in from the Coast yesterday, following a week spent at the studio.

MYLES SEELEY of Mayer, Myer, Austrian & Platt, Chicago attorneys for several film companies in current court matters is in New York for a series of consultations with the leading companies.

Damage Suit Against Texas Interstate Delayed

Dallas — Damage cases against Texas Interstate by H. N. Jorgensen and H. Z. Glass, scheduled to come to trial yesterday, have been passed due to the absence from the city of Karl Hohlitzelle, Interstate head, who is suffering from rheumatism in California. Suits were the outcome of the Government winning an anti-trust action against Interstate.

Cooper Funeral Today

Funeral services will be held at 11 o'clock this morning in Universal Chapel, 97 Lexington Ave., for Courtney Ryley Cooper, journalist and writer, who died on Friday. He authored "Wild Cargo" and "The Plainsman," both of which found their way to the screen.

FRIENDLY SERVICE
SAVES TIME AND MONEY
AT
**Postal
Telegraph**



CHARGES FOR TELEGRAMS
'PHONED IN APPEAR ON YOUR
TELEPHONE BILL.

Kaimann Wants U. S. Probe of Union Row

(Continued from Page 1)

night Ghost Show," which has been filing name dates here.

C. Orville Newlin, secretary of local 6, told reporters that he had turned Kaimann's request for the stagehands over to the union's negotiating committee, which he claimed tried to arrange a meeting with Kaimann to discuss the request but had not been able to do so. Newlin denied the union had refused to furnish stagehands.

Kaimann is interested in a circuit of neighborhood and suburban theaters with Fred Wehrenberg, president of the MPTO of St. Louis, Eastern Missouri and Southern Illinois. He was one of the Government's key-men against John P. Nick and Clyde A. Weston, former IATSE execs. here, recently convicted on Federal charges.

At the Department of Justice in Washington yesterday, it was said that no complaint had been received from Kaimann. However, it was stated it might have been filed with the St. Louis office.

MPTOA Will Go to Court If Decree is Accepted

(Continued from Page 1)

contemplates filing amicus curiae proceedings when the proposed consent decree is presented in the Federal Court. He said this action would be taken because the exhibitors had not been consulted.

"I am not sure that the court will grant us a hearing," he continued, "but I do know that if the decree does go into effect, which at present has the objectionable five-picture block-booking plan and the provision for a non-trade arbitration board, this fight is just beginning because it will destroy the small exhibitors, the very ones they pretend to protect."

The meeting went on record as especially opposed to these two provisions while recognizing the efforts of the Department of Justice to eliminate some of the industry's chief problems. The gathering also passed resolutions opposing any change in



● ● ● **PARAMOUNT'S** product-parade is currently going by..... and it's no mystery that the spectator-exhibitors.....who have bought the line-up.....are glad that they decided to "go buy".....Already have passed in review....."Rhythm on the River," "I Want a Divorce" and "Rangers of Fortune".....The first-mentioned had the power to do a big three weeks'.....at the B'way Paramount.....while the second.....which opens at that theater later this week.....is virtually certain to grab a husky-grossing fortnight.....of playing time....."Rangers of Fortune" is now rounding out a two-week run at the house.....with fine audience reaction and attending "take".....This trio of pictures.....is also scoring slickly 'round the country.....which means that the Para. clan and customers.....are in 100 p.c. clover thus far this season.....and the season has only just begun.....

● ● ● **EVEN** more impressive than the "is".....is the "to be".....for a splendidly balanced quartette of features.....is scheduled for October release.....They comprise the pigskin opus....."The Quarterback" (Oct. 4).....Harry Sherman's "Cherokee Strip" (Oct. 11)....."Moon Over Burma" (Oct. 18) and "Christmas in July" (Oct. 25).....It is worth notation that a "Moon Over Burma" preview.....evoked more than 100 praise-packed preview cards.....handed in by members of the audience.....Our Coast scouts aver that "The Quarterback" is not only exceptionally timely for Autumn-tide.....but is exceptionally entertaining....."Cherokee Strip" is labeled one of the very best outdoor dramas.....yet fabricated by Mister Sherman.....and that "Christmas in July" will clearly fill the bill of the proudest stands.....

● ● ● **NOVEMBER** is to bring "Dancing on a Dime," "Arise My Love," "Three Men From Texas" (the initial Hopalong of 1940-41).....and.....Cecil B. DeMille's "Northwest Mounted Police".....which is touted as a powerhouse.....and patently overshadows the November Paramount release scene.....Crafty exhibs. will do well to file in cranium and booking archives.....that "Arise My Love" is a peach of an audience picture.....The December group consists of "A Night at Earl Carroll's," "Texas Rangers Ride Again" and "Love Thy Neighbor".....—which, all in all, takes us up.....to 1941.....

Schenck Retains Corbin

Harold H. Corbin, attorney of 15 Broad Street, was retained yesterday by Joseph M. Schenck to replace the late Max B. Steuer as counsel.

the existing clearance schedules and slot machine movies.

Support was promised the American Red Cross roll call and the Government's national defense program.

President Fred Wehrenberg and all other officers were re-elected, while Louis Ansell was named assistant to Louis Hahl, secretary and treasurer. Frank Speros, Maury Davis and Sidney Johnson, all of St. Louis, were added to the board of directors. All other directors were renamed.

Mayor Bernard F. Dickmann and other city officials and officers of the Better Films Council of Greater St. Louis were other speakers at the dinner meeting.

Report Sterling and FWC in Seattle Pooling Deal

(Continued from Page 1)

ing negotiations in New York last week.

In the Eastern talks, Sterling was represented by William Forman, general manager, and Hamrick-Evergreen by Frank Newman.

Sterling has the Palomar, Roosevelt, Colonial and Winter Garden in addition to some third- and fourth-run houses, plus a string of 12 suburban theaters. Only the first- and second-runs, however, are said involved in the present deal.

Hamrick-Evergreen houses reportedly involved include the Music Hall, Blue Mouse, Roxy and Orpheum, first-runs, and the Coliseum, second-run. Danz recently gave up the Orpheum; house has just reopened after being dark 40 days.

Decree Freezes Indie Evils—Mich. Co-op.

(Continued from Page 1)

able conditions the Neely Bill was expected to cure. We would appreciate your letting Messrs. Jackson and Arnold know how you feel toward this unjust procedure of not considering exhibitors in arriving at terms of a decree. We feel this assistance from you is a last straw to preserve our independent enterprises."

Co-operative is also sending a letter to Thurman W. Arnold, Assistant Attorney-General, and filing objections with Judge Henry W. Goddard.

Co-operative further says: "We are worse off under the terms of the decree than we ever were combatting the 'Big Eight' in open competition. Do not penalize the real independents in order to punish violating members of producing and affiliated groups. We independents prefer to continue the fight as in the past rather than be forced to buy under the terms of the decree."

"While most offending producers and distributors could not survive very long under the terms of the decree the few surviving would have almost complete monopoly of production because of the rule of five. Should this well-financed firm spend enough money publicizing one or two in each block, exhibitors must buy all five in self-protection even though three or four may be bad pictures."

"Answer to industry's problems is in recommendations of the House Committee at the Neely Bill hearings."

"Sooner than have this decree we would prefer straight 20 to 25 per cent cancellation privilege on complete blocks of product so that we may be assured of continuous product throughout the year. Under blocks of five, new added costs will be passed on to the exhibitor and he will not be able to recoup his loss from his customers."

Art Theater to Open

Art Theater, Eighth St. and University Place, newest addition to the foreign film houses, will open Oct. 7 with "Whirlpool," French pix, which the New York Censor Board sought to ban. Irving Ludwig will manage the 550-seater designed by Thomas W. Lamb and built by Herman Wein-garten.

Griffith Firms Dissolve

Dover, Del. — Griffith-Dickinson Theaters, Inc., and the Griffith-Dickinson Realty Co., have filed certificates of dissolution with the office of the Secretary of State.

STORKS!

Detroit—Henry Koppin, manager of the Mack Avenue Uptown Theater, is the father of an eight-pound boy.



From
**THE FILM
DAILY** to

Alice Joyce
Jack Mersereau
G. Keva Maicus

Knute Rockne

Officially Proclaimed

NEW YORK · MASS · WASHINGTON · INDIANA · IOWA · LOUISIANA · GEORGIA

THE NATION WITH NE

KNUTE ROCKNE ALL AMERICAN

STARRING

PAT O'BRIEN

GALE PAGE · RONALD

REAGAN · DONALD CRISP

Directed by LLOYD BACON

Original Screen Play by Robert Buckner
Based upon the private papers of Mr. Rockne,
and the reports of Rockne's intimate
associates and friends.



**ALL 3 NETWORKS WILL
CARRY NOTRE DAME'S
TRIBUTE TO ROCKNE
ON SATURDAY!**

N.B.C., C.B.S. and Mutual will broadcast full description of the ceremony in tribute to Knute Rockne between halves of the Notre Dame-College of Pacific game. The cast of the picture and all celebrities who attended the premiere will participate, as will important State and Civic leaders. In addition sports-writers and photographers will cover.

**4-THEATRE
PREMIERE IN
SOUTH BEND
FRIDAY!**

**FULL WEEK OF
BROADCASTS
BY KATE SMITH!**

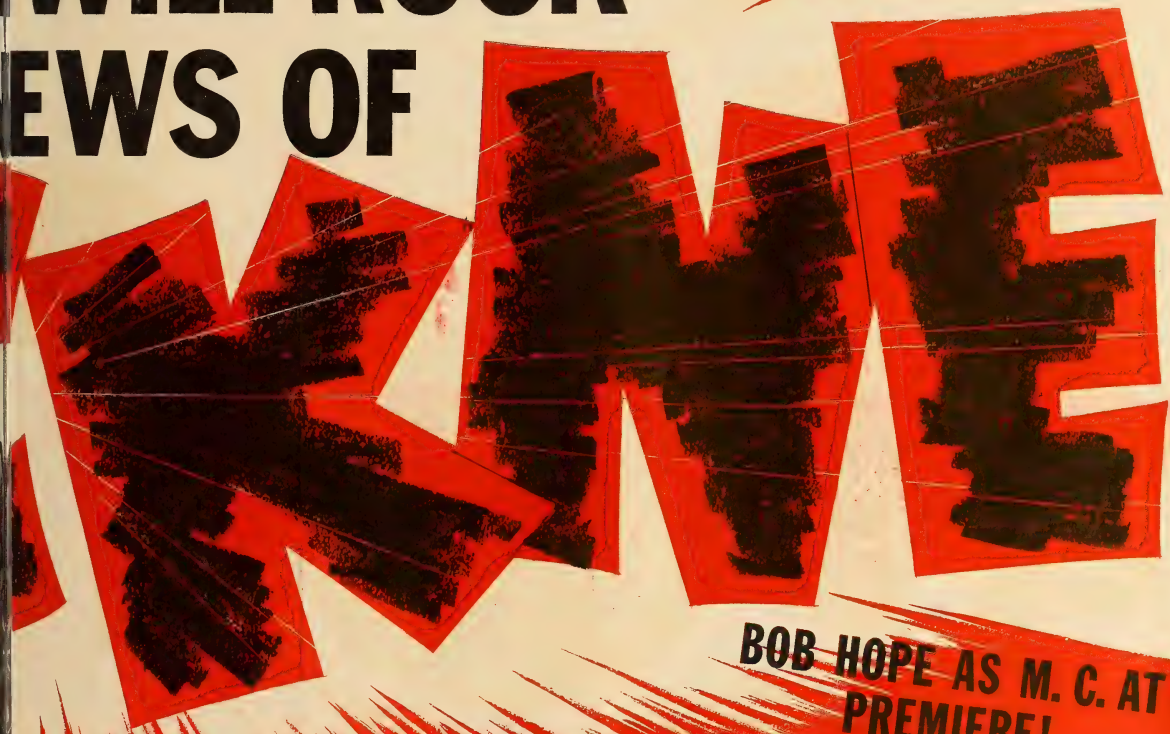
Every day all this week on Kate Smith's noon-hour program! Climaxed by full-hour show **FRIDAY** from the South Bend premiere at 8 P.M. E.S.T. over 84 CBS Stations (and repeat at midnight)!

KNUTE ROCKNE WEEK HITS A BLAZING

Rockne Week

by the Governors of
VIRGINIA · TENNESSEE · FLORIDA · OKLAHOMA · ILLINOIS · KANSAS · OHIO

WILL ROCK NEWS OF



BOB HOPE AS M. C. AT PREMIERE!

A partial list of the celebs who'll be there!

PAT O'BRIEN
BOB HOPE
KATE SMITH
CHARLES RUGGLES
ROSEMARY LANE
LUCILE FAIRBANKS
IRENE RICH
DONALD CRISP
JANE WYMAN
FLORENCE RICE
F. D. ROOSEVELT, Jr.

ELIZABETH WHITNEY
POST-GEN. FRANK WALKER
RONALD REAGAN
RUDY VALLEE
SONJA HENIE
DAN TOPPING
PARKS JOHNSON
WM. R. HEARST, Jr.
WILLIE HOWARD
WALLY BUTTERWORTH
JOE CONNELLY

And cars full of nationally syndicated columnists, sports-writers, critics, government officials, radio commentators.

SIMULTANEOUS NATIONAL NOTRE DAME ALUMNI RALLIES!

The main one to be broadcast over
actual's 148 Stations direct from
the Dame Dining Hall at 7:30
P.M. E.S.T. THURSDAY!

TRIBUTE TO KNUTE ROCKNE AT 10,000 SCHOOL GAMES!

High Schools and Prep Schools
everywhere are scheduled to
dedicate an official game to
Knute Rockne with attendant
local publicity!

PEAK IN WARNER SHOWMANSHIP!

See 'Liberal' Policy For Draft in Pix

(Continued from Page 1)

ury" and other non-defense industries.

Major Battley explained that drafting of a movie star or technician during the filming of a picture might prevent its completion and such persons might be deferred for this reason. However, local draft boards will have the final word but Major Battley is recommending a liberal policy in such cases.

Motion pictures will play a large part in maintaining the morale of citizens inducted into the Army under the conscription law, the Army announced yesterday. A morale division has been established which will provide a motion picture tent for each tent camp and a theater building for each cantonment. The division has been allotted a total of \$2,594,152 for all morale work. A good portion of this is expected to go for theater equipment and leasing of films.

Will Huddle on the 1941 GWTW Distribution Policy

(Continued from Page 1)

that charged this year although it is likely that there will still be some b.o. increase.

McConville and Segal Fly to Mexico City

Joseph A. McConville, Columbia's foreign manager, accompanied by Jack Segal, manager of foreign exchange operations, are en route from the home office to visit company's offices in Central and South America, with Mexico City as the first stop-over. Plans call for their traveling by plane down the West Coast of South America and returning via the East Coast.

Excess Profits Tax Bill Revision Seen Helping "U"

(Continued from Page 1)

of the measure has been seen. This was asserted yesterday by J. Cheever Cowdin, chairman of Universal's board, who said he had reason to believe that several parts of the bill, as agreed upon by the joint House-Senate conference committee on Sunday, would offer some relief as compared with the provisions of the original House measure.

"All we can do is guess as to the final bill," said Cowdin, who has been participating in Washington conferences against the tax bill in its first form. Cowdin argued that the bill would increase Universal taxes more than 47 per cent of its estimated net income.

The revised bill is said to be of a more liberal nature.

Harry Kalmine's Mother Dead

Pittsburgh.—Funeral services for Bella Minsky, mother of Harry M. Kalmine, zone manager for Warner theaters in the Pittsburgh territory, who died at her sister's home in Philadelphia, were held in that city Sunday.

Neb. Ascap Hearing At Omaha on Oct. 12

(Continued from Page 1)

to be handed up to the nation's highest tribunal contain exact stenographic transcripts of testimony and argument.

Ascap, it is understood, contends that the condensation prepared by William J. Hotz of the opposition is unfair in that it fails to present proceedings verbatim.

Washington-Ascap Case Briefs Within 30 Days

Omaha.—Report of the Special Master presented here on Saturday at a hearing on the Washington-Ascap case asserted that the local Federal Court has jurisdiction in the action, as determined by the U. S. Supreme Court.

The litigants now have 30 days in which to file briefs, and 15 days are allocated for filing of answers.

Judge Cushman has signed a statement withdrawing himself from the case, and the statutory court now consists of Judge John C. Bowen, to whom the action is now assigned; Judge Bert Emory Haney; and Judge Lloyd L. Black. The latter replaces Judge Cushman in the judicial triumvirate.

Domestic Theater Biz On the Uptrend—Wobber

(Continued from Page 1)

petus of the Government defense program grows," Herman Wobber, general manager of distribution for 20th-Fox, optimistically asserted yesterday upon his return to New York after visiting the company's entire exchange system.

He stated that theater biz generally in Canada is running between 25 and 40 per cent ahead of last year for the same period, due to the Canadian government's vast defense program, and remarked that impetus of the U. S. defense program is just beginning to be felt.

All important circuit deals are either closed or in stages of being finalized, he said.

Earl Hurd, One of First Animated Cartoonists, Dies

West Coast Bureau of THE FILM DAILY

Hollywood.—Funeral services for Earl Hurd, 60, one of the originators of the Bray-Hurd process of animating cartoons, who died of a heart attack, will be held today at the Fillback Mortuary, Burbank. He was an animator at the Walt Disney studios.

Exhibs. May Clash On Arbitration

(Continued from Page 1)

conciliation boards as the best method of settling exhibitor disputes.

Conciliation in the opinion of Myers would be cumbersome and unsatisfactory, and would work greater hardship on all concerned in ironing out difficulties. He said the proposed arbitration rules were fair and by far the best plan so far suggested.

Inasmuch as Allied units are likely to agree with Myers and that the MPTOA long has favored conciliation, difficulty on the issue is predicted by some sources.

Meanwhile, the American Arbitration Association in an effort to speed up the inauguration of an arbitration system for the film industry, if and when the proposed consent decree is approved by Federal Judge Henry W. Goddard, has begun preliminary work necessary for the establishment of arbitration offices in 35 exchange districts, it was learned yesterday. The Association has received informal word that the rules of arbitration with the exception of minor changes is acceptable to the film companies and the Government.

Part of the work now engaged in by the Association is the preparation of a budget of the annual costs of operation of the system and the date necessary to complete the budget. This information will be submitted to Judge Goddard, and his approval of the proposed budget will be requested at the same time that the decree is submitted.

Officials of the Association are also rechecking its panel of arbitrators throughout the country to eliminate all arbitrators who have had any connection with the motion picture industry. A meeting is scheduled for today, during which the negotiators will report back to the Government on the acceptability of the decree as completed on Friday.

Goldwyn Amends His Suit Complaint Against UA

(Continued from Page 1)

with violating the contract by allowing London Film Productions, Ltd., and Alexander Korda, to have an alleged interest in Harefield Productions, Ltd., of London, which produced "The Spy in Black" and "Q Planes," released by Columbia.

Second for Capra-Riskin

West Coast Bureau of THE FILM DAILY

Hollywood.—Second production by Frank Capra-Robert Riskin at the Warner studios will be a mystery comedy to be written by Riskin who will start work on the untitled story as soon as editing of "Meet John Doe" is completed.

Rodman to Rochester

Pawtucket.—Hyman Rodman, manager for the E. M. Loew circuit at the Capitol, Pawtucket, R. I., goes to the Embassy, Rochester, N. Y.

A ★ M ★ P ★ A ★

ASSOCIATED MOTION PICTURE ADVERTISERS, Inc.

cordially invites all men and women of the motion picture and allied industries to attend its first luncheon of the 1940-41 season.

OUR GUEST OF HONOR:

MARTIN J. QUIGLEY

on the occasion of his 25th anniversary as publisher of the Motion Picture Herald.

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in the Grand Ballroom of the

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46th and 47th Sts.
West of Broadway

Serving Sharply at 12:45—Please Be Prompt

Members Tickets \$1.00 — Guests \$1.25

(Including Gratuities)

EVERYBODY 'LL BE THERE!

KENNY FRANCES HUGH MARY ANN
BAKER · LANGFORD · HERBERT · BOLAND · MILLER *in*

HIT PARADE OF 1941

A REPUBLIC PICTURE



PATSY KELLY · PHIL SILVERS · STERLING HOLLOWAY · DONALD MACBRIDE · BAGNETT PARKER · FRANKLIN PANEBORN · SIX HITS AND A MISS
BORRAH MINEVITCH and his HARMONICA RASCALS
AND A BRILLIANT CAST OF SCREEN AND RADIO STARS · JOHN H. AUSTIN · DIRECTOR

JACK LONDON'S

FLAMING STORY OF
GAUDY GOLD RUSH
DAYS!



"MOST
ENTERTAINING
AND
BEST PRODUCED
PICTURE
MONOGRAM
HAS YET
RELEASED"

—HOLLYWOOD REPORTER

"SHOULD PROVE ITSELF ONE OF
MONOGRAM'S BETTER COIN
EARNERS"—VARIETY

"THRILLING, ACTIONFUL ENTER-
TAINMENT... APPROPRIATE WEEK-
END BOOKING"—SHOWMEN'S TRADE REVIEW

MONOGRAM
PICTURES
PRESENTS
**QUEEN
OF THE
YUKON**
WITH
**CHARLES
BICKFORD**
**IRENE
RICH**
DIRECTED BY PHIL ROSEN
ASSOCIATE PRODUCER PAUL MALVERN
Screenplay by Joseph West

Intimate in Character
International in Scope
Independent in Thought

THE Jinx DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 66

NEW YORK, WEDNESDAY, OCTOBER 2, 1940

TEN CENTS

WILL ASK FOR BRIEF DECREE HEARING DELAY

5-Block Substitution Offered by Kuykendall

MPTOA Head Would Ban Licensing More Than 6 Mos. Ahead of Release

A clause prohibiting the licensing of pictures more than six months ahead of release was suggested yesterday in an MPTOA general bulletin as a substitution for the blocks-of-five plan in the proposed consent decree.

The blocks-of-five clause should be changed to provide a minimum cancellation privilege on pictures sold in blocks and in advance of actual release, Ed Kuykendall, MPTOA president, wrote in the bulletin.

"If the real purpose is to prevent

Kan.-Mo. Exhibs. Call Decree "Disastrous"

Kansas City—Board of directors of the Kansas-Missouri Theater Ass'n, representing 400 exhibitors termed the five-picture clause in the proposed consent decree "disastrous to exhibitors" in a resolution adopted yesterday.

The resolution was unanimous in a specially called meeting designed to express sentiment before the Fed-

500 Industry Films Now Used in Schools

French Lick, Ind.—Through the co-operation of the MPPDA some 500 films "telling the story of the United States" are being used today in "thousands of American classrooms." Prexy Will H. Hays of the MPPDA told the Indiana Chapter, D.A.R., here last night.

Hays acknowledged the motion

Want Rental Values Set Within 10 Days

St. Louis—MPTO of St. Louis, Eastern Missouri and Southern Illinois is requesting distrib. to fix the rental value of their product within 10 days after the close of the local first-run instead of setting up new rentals for different zones from time to time.

Cecil B. DeMille is Principal Backer Of New Coin Pix Producing Company

Hollywood—Cecil B. DeMille will be the principal backer of Hollywood Quality Pictures, Inc., which will produce 36 subjects for automatic projectors, with Herbert Moulton in charge of production. DeMille's associates are Attorney Neil F. McCarthy, William H. Pine, Frank and Morris Kozinsky, prominent in coin-in-slot fields.

New concern will also manufacture and distribute "talkitone" machines. DeMille believes coin machine movies will not offer any competition to theaters but will tend to increase audiences for features.

Rodgers Asks End Of Petty Jealousies

Philadelphia—William F. Rodgers, Metro sales chief, told an audience of 200 exhibitors from all parts of the territory here yesterday at a luncheon meeting at the Warwick that the industry must set aside its petty jealousies and co-operate if the burden placed upon it by the loss of the foreign market is to be surdied.

The meeting, called as an informal discussion of industry problems,

Pa. Bank Night Appeal Before Superior Court

Philadelphia—Hearing was held before the Superior Court yesterday in the appeal of J. C. Lund, operating the State and Strand, Aliquippa, Beaver County, from a decision finding him guilty of violating the state lottery laws in running Bank Night.

Counsel for the defendant maintained that no consideration had been

Court Upholds 'Ramparts' Ban Finds Pa. Censors Acted Within Powers

150 Notables to Attend "Knut Rockne" Opening

Two South Bend Specials—one which left Los Angeles yesterday and the other leaving New York today—will carry approximately 150 notables, including Hollywood stars, newspapermen, guests and Warner execs. to South Bend, Ind., to partici-

Canadian Clearance Board Reps. Named

Toronto—The three representatives of Canadian affiliated theaters to serve on the National Clearance Board are T. J. Bragg, Ben Gold-saler and Morris Stein, all of Famous Players Canadian Corp.

Harry Alexander was named by the Independent Theaters Assn. board as its Ontario representative. Provisional member for the Eastern

WB, NSA Both to Handle Warner Pix Accessories

A one-year agreement between Warners and National Screen Accessories by which the two companies will separately distribute accessories on Warner-First National product was announced yesterday in a statement issued jointly by Gradwell L. Sears, WB general sales manager, and Herman Robbins, president of NSA.

As a result of the agreement,

Will Permit Exhib. Groups To Get Draft and Prepare For Presentation of Views

Postponement for a week or 10 days of the hearing originally scheduled for Oct. 7 before Federal Judge Henry W. Goddard, when the pros and cons of the proposed consent decree will be argued, will be sought by the Government and the five negotiating majors, it was learned yesterday.

The short delay will be required to allow distribution of the proposed decree to exhibitor organizations and to give them an opportunity to prepare for the hearing, it was stated. The decree draft itself will probably be finalized today, official spokesman said at the close

Neely's Bill "Dead Issue," MPTOA View

St. Louis—The Neely bill may be regarded as a "dead issue," lacking any prospects of House passage, Ed Kuykendall, MPTOA prexy, here to address the MPTO of St. Louis, Eastern Missouri and Southern Illinois, declared.

Discussing the proposed consent decree in the New York equity suit,

Basic Agreement Changes To be Completed Friday

James F. Reilly, executive secretary of the League of New York Theaters, said yesterday that the 14-page amendment currently being drafted to the basic agreement covering sale of film rights to plays

Chi. 16 MM. Distribs. Plan to Organize

Chicago—Distributors of 16 mm. films plan a Chicago organization to combat adverse legislation and to boost co-operation among distributors.

THE FILM DAILY

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JOHN W. ALICATE : : : : Publisher
DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Freedman, The Film Rentor, 127-133 Wardour St., W. 1. PARIS—P. A. Harle, La Cinematographie Francaise, 29 Rue Marsoulan (2). MEXICO CITY—Marco Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Tuesday, Oct. 1)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	8 1/4	8 1/4	8 1/4	+ 1/4
Col. Picts. vts. (2 1/2%)	5	4 3/4	5	+ 1/4
Columbia Picts. pfd.	20 3/4	20	20 3/4	+ 1
Con. Fm. Ind.	1 1/2	1 1/2	1 1/2	0
Con. Fm. Ind. pfd.	7 3/4	7 3/4	7 3/4	0
East. Kodak	135 1/2	134	134	+ 1
do pfd.				
Gen. Th. Eq.				
Loew's, Inc.				
do pfd.	25 1/2	25	25	+ 1/4
Paramount	7	6 3/4	7	+ 1/4
Paramount 1st pfd.				
Paramount 2nd pfd.	8 3/4	8 3/4	8 3/4	0
Pathe Film	9 7/8	9 3/4	9 3/4	+ 1/4
RKO	2 1/2	2 1/4	2 1/4	+ 1/4
20th Century-Fox	6 1/8	5 7/8	5 7/8	+ 1/4
20th Century-Fox pfd.				
Univ. Pict. pfd.	81 1/2	81 1/2	81 1/2	+ 1/2
Warner Bros.	2 1/2	2 1/2	2 1/2	+ 3/8
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref.	64 1/2			
Loew's deb.	3 1/2			
Para. B'way 3 1/2				
Para. Picts. 6 1/2				
Pict. vts. 3 1/4	91 3/4	91 1/2	91 1/2	+ 1/4
Warner Bros. deb.				
NEW YORK CURB MARKET				
Monogram Picts.	7-16	7-16	7-16	
Sonotone Corp.				
Technicolor	9 1/4	9 1/8	9 1/8	- 1/4
Trans-Lux				
Universal Corp. vts.	3 1/2	3 3/8	3 3/8	+ 1/4

GETTING A SIGNED RECEIPT IS A STANDING RULE OF

Postal Telegraph

CHARGES FOR TELEGRAMS 'PHONED IN APPEAR ON YOUR TELEPHONE BILL.

\$5 Monthly License Fee For Tele Looming Here

Because of the broad definition of motion pictures in the license law here, proprietors of taverns and restaurants will have to pay a license fee of \$5 a month on installed tele equipment, and there is a possibility that persons having tele sets in their homes will also be required to take out a license, it is asserted by the Department of Licenses.

The only means of escaping the fee will be in the event that an amendment is made to the existing law, it is pointed out, and that such amendment would have to come via the City Council.

Definition of a motion picture is "a display, on a moving screen or other device, of pictures or objects in motion or rapidly changing scenery."

Monogram Stockholders Hold Annual Meet Today

Report on Monogram's status subsequent to removal of its home office to Hollywood will be submitted today to the company's stockholders at their annual meeting in New York.

Following the session, Edward Golden, general sales manager, will leave for the Coast where he will establish his headquarters along with the other departments of the company. The foreign department will remain in New York, however.

Sol Edwards Suing FA For Contract Settlement

Sol Edwards has filed suit against Film Alliance of the U. S. for a settlement of the balance of his contract, following the severing of his connections with the company. Edwards, who was Eastern sales chief of Film Alliance, expects to announce a new connection shortly.

No Advance Screening Of "The Great Dictator"

First screening of Charlie Chaplin in "The Great Dictator," official or unofficial will take place at the premiere of the picture at the Astor and Capitol Theaters on Oct. 15.

20th-Fox Sets Releases For National Holidays

Twentieth-Fox has set its holiday releases as follows: Armistice Day, "Mark of Zorro"; Thanksgiving, "Hudson's Bay"; Christmas, "Tin Pan Alley"; New Year's, "Chad Hanna."

Chi. Operators Delay Pact

Chicago — Negotiations between operators' union officials, circuit and independent theater owners over new operators' contract was adjourned until this morning. The operators want two weeks' vacation with pay, which is the stumbling block in the negotiations.

MP Associates Defer Variety Club Action

Motion Picture Associates meeting in the Hotel Astor yesterday deferred until a later date the question of the establishment here of a Variety Club tent, and placed the matter in the hands of its Executive Board for discussion.

Nat Beier was named chairman of the entertainment committee to work closely with Moe Sanders in fashioning a show for presentation at the MPA Annual Dinner, scheduled for Nov. 20 in the Hotel Astor.

Roach to Shoot 2 Weeks On Penny for Background

Hal Roach leaves today for Philadelphia to confer with officials of the Pennsylvania Railroad on his forthcoming picture, "Broadway Limited." In a private car furnished by the railroad, Roach and his crew will spend two weeks shooting background material between here and Chicago.

Roach said yesterday that the recently announced "Tanks a Million," will replace "The Unholy Horde" on this season's program.

Court Orders Local 306 To Arbitrate Law Suit

Local 306, Motion Picture Operators was restrained yesterday by N. Y. Supreme Court Justice Aron Steuer from pressing its suit against People's Cinema, Inc., owner of the People's Cinema, Brooklyn, to enforce a union contract unless the union consents to arbitrate its dispute. The Court refused an injunction to restrain picketing, because of insufficiency of the pleading.

Appoint Dee Lowrance Para. Fashion Contact

Dee Lowrance, formerly of the N. Y. Herald-Tribune and the Manhattan office of United Artists, has joined Paramount's publicity department as fashion contact. Now in New York for conferences with Al Wilkie and Aileen St. John Brenon, magazine contact of the New York office, and magazine editors, she will return to the Paramount West Coast studios next week.

Photographers To Ask 5-Day, 40-Hour Week

West Coast Bureau of THE FILM DAILY — Hollywood — Officials of International Photographers, Local 659, announced that their members seek a five-day, 40-hour week and will ask a conference with producers after the wage-hour division makes known its new definitions pertaining to various employees' classifications in the industry.

"Mozart" for Carnegie

"Mozart," English production, has been booked into the Little Carnegie Playhouse for its American premiere tomorrow, according to I. E. Loert, who is distributing the film nationally.

COMING and GOING

BUSBY BERKELEY and his wife are here from the Coast and stopping at the Sherry-Netherland. On Thursday night Berkeley will be guest of honor and principal speaker at the Publicity Club of New York.

MAX WESTERBE, managing director of RKO's Holland office, sails today on board the Ex-cambion for New York, arriving here Oct. 1 for home office confabs.

DESI ARNAZ planned from New York to Hollywood yesterday to attend the preview of "Too Many Girls," the George Abbott production for RKO, in which she appears.

DEE LOWRANCE, new fashion contact for Paramount in Hollywood, is a guest at the Warwick.

JOE NOLAN arrives back at the Coast today from his farm in Connecticut where he spent a week following confabs with RKO execs.

CHARLES GRAPEWIN leaves the Coast for New York upon completion of his role in Columbia's "Elery Queen" film.

SAMUEL WECHSLER, v.-p. of Playmarket, Inc., left the Coast at the week-end by train for New York on a several weeks' biz trip.

EDWARD H. GRIFFITH, after completing Para.'s "Virginia" this week, will leave for a four-week Honolulu vacation.

NORMAN TAURCOG is back at the Coast after shooting New York background shots for "Gay White Way."

HAL ROACH and HAL ROACH, JR., arrived here from the Coast yesterday for background shots for "Broadway Limited." They leave today for Philadelphia.

F. J. A. MCCARTHY left last night for Oklahoma City and Dallas; he returns in a week.

Ebersons Prepare Plans For Fabian Cohoes House

Fabian Theaters have delegated John and Drew Ebersson, film theater architects, to prepare plans for a new 1,200-seat house to be constructed at the corner of Remsen and White Sts. in Cohoes. Building is to be fireproof.

General layout, together with basic specifications, are under the personal supervision of Jacob Fabian, dean of motion picture theater planners. Work is to commence immediately so that foundations can be completed before the Winter weather sets in. Project is to be completed and ready for occupancy by next Spring.



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Most Outstanding Downtown Hotel

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PERSIAN ROOM

Visit the world famous Persian Room and enjoy dinner dancing to the nation's leading orchestra.

Rates From \$4 up, Daily
POWELL at SUTTER

Right out of the family album
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With Gloria Jean
bringing Hollywood's
greatest names of
today and yester-
day...in the most
warmly human
picture of the year!

Hear Gloria... at
her Glorious Best...
Sing
"A Little Bit of Heaven"
"After Every Rainstorm"
"What Did We Learn
at School"
"Dawn of Love"
"Highschool Cadets"

UNIVERSAL *presents*
**A LITTLE BIT
OF HEAVEN**

starring **GLORIA JEAN** with

**ROBERT STACK • HUGH HERBERT • C. AUBREY SMITH
STUART ERWIN • NAN GREY • EUGENE PALLETT
BUTCH & BUDDY • BILLY GILBERT** and Gloria's "uncles"
FRANK JENKS • NOAH BEERY Sr. • MAURICE COSTELLO • CHARLES RAY
FRED KELSEY • MONTY BLUE • TOM DUGAN • WILLIAM DESMOND
EDGAR DEERING • KENNETH HARLAN • PAT O'MALLEY • DAVID OLIVER

Screenplay by Daniel Taradash, Gertrude Purcell,
Harold Goldman • Original Story by GROVER JONES

Directed by **ANDREW MARTON** • Produced by **JOE PASTERNAK**

A JOE PASTERNAK PRODUCTION

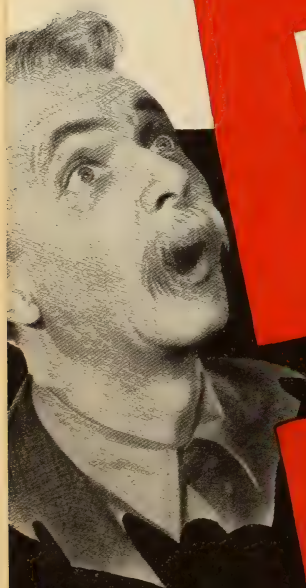
NATIONAL RELEASE OCT. 11th



RECORD

HIGH

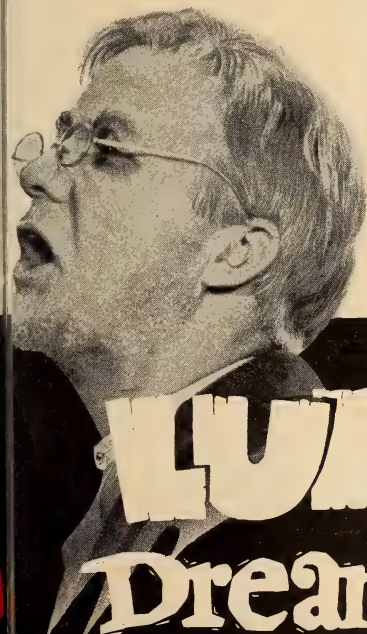
BOX-OFFICE



-in scores of theatres, including big cities, small towns, in-betweens!

THE FIGURES ARE SO SPECTACULAR THEY'RE ALMOST FANTASTIC! . . . But every figure's provable, and the dollar details are yours on request! . . . It's actually DOUBLING and in some cases TRIPLING previous highs of top box-office shows of the past five years! . . . In one Exchange territory alone—Memphis—30 PRINTS ARE WORKING EVERY MINUTE, and throughout Arkansas, Missouri and adjacent localities, theatres are reporting the biggest crowds they ever had on ANY picture . . .

**A BIG MONEY OPPORTUNITY
NO MATTER WHAT THEATRE
OR CIRCUIT YOU BOOK FOR!**



LUM AND ABNER **Dreaming Out Loud**

WITH

FRANCES LANGFORD • FRANK CRAVEN
BOBS WATSON • PHIL HARRIS

A VOCO PRODUCTION • PRODUCED BY JACK VOTION & SAM COSLOW

DIRECTED BY HAROLD YOUNG • Screen Play by Howard J. Green, Barry Trivers and Robert D. Andrews



Pa. Court Upholds "Ramparts" Ban

(Continued from Page 1)

to remove the German sequences. The Court refused to set itself up as a super-board of censors, declaring the State Board to be "well qualified by education and experience to act as censors, and to know what are the common standards of morality which the act seeks to protect."

The judges failed to see abridgement of freedom of speech in the board's decision, and rejected the appellants' contention that the film is a newsreel. Furthermore, the Court held, "to depict a man in the character of a German hurling insults at our American citizenry could only serve as a God of hatred, in contrast to our God of love, it would tend to stir up strife and resentment, resulting in possible attack upon some innocent American citizens of German descent."

The "Hitler pagan propaganda" was denounced by the Court as a way of life "entirely egocentric and therefore completely selfish" and opposed to "our American way of life, which is built on altruism, succoring of the weak, recognition of the brotherhood of man and the Fatherhood of God."

The Court felt that the Board acted "within the reasonable scope of its power and discretion," and that the burden "is on the appellants to show affirmatively that its decision was made on a ground not involving the exercise of its discretion."

The appellants, RKO Pictures, Inc., and Time, Inc., failed in the words of the Court, "to meet the burden placed upon them to show that the decision of the board was upon a ground not within the exercise of its discretion or that it abused its discretion arbitrarily or capriciously."

Canadian Clearance Board Reps. Are Named

(Continued from Page 1)

provinces is H. Freedman, and for the West, Nat Taylor.

These proxy members may be replaced at later meetings of individual organizations.



● ● ● IN behalf of what is clearly.....their pet picture.....the Warners are presenting a four-fully world premiere.....in South Bend on Friday night.....and the company's solons have designed the occasion.....to top all such predecessor-events in industry annals.....Some idea of the magnitude of the effort.....in that direction.....can be gleaned via the fact.....that by gubernatorial decree.....the current week is Knute Rockne Week.....not only in Indiana.....but by proclamation too.....in New York, Kansas, Florida, Massachusetts, Iowa, Georgia.....Delaware, Louisiana, Ohio, Tennessee, Illinois and Washington.....to name but a few of the co-operating States.....Needless to say.....Friday is a civic holiday in South Bend.....

● ● ● REASON for the gargantuan bally.....is to nationally spotlight....."Knute Rockne—All American".....a honey of a picture.....and thereby create a ready-made army of patrons for the opus.....and Mister Exhibitor.....While the football season is officially scheduled to get under way.....on Saturday.....as far as South Benders are concerned.....the folks out there have already witnessed stalwart lines in vicious action.....for when the tickets for the premiere showings.....at the Colfax, Palace, State and Grenada Theaters.....went on sale recently.....the native public staged such a melee to buy them.....that today it's a helluva lot easier.....to obtain 50-yard line seats for the Army-Notre Dame game.....than a pastebard for the rear row.....of the aforementioned houses.....

● ● ● THE Warners have built a tremendously impressive.....program of events.....to dovetail with the premiere.....and in this task they have had the wholehearted support of Notre Dame.....and her many sons.....The latter will hold dinners tomorrow night.....in various sections of the land.....coincident with the banquet at the University itself.....where Bob Hope will emcee.....on Mutual's national network.....Tomorrow night also.....the Vox Pop air show will originate from the lobby of the Oliver Hotel.....with the stars and celebrities as the guests.....On Friday night.....the entire company of the Kate Smith program.....will broadcast festivities in and from South Bend.....After the premiere.....a grand ball will be held.....and on Saturday afternoon.....Notre Dame's grid warriors will try to do the same.....and as long as possible.....during their scheduled tangle with Amos Alonzo Stagg's stalwarts.....from the College of the Pacific.....

● ● ● JIMMY Dunn, the Rivoli's showman-manager, and UA.....feted Walter Wanger last evening.....in that B'way house.....in recognition of the producer's wholesale grosser....."Foreign Correspondent".....and the b.o. gold mine in the immediate offing....."The Long Voyage Home".....which moves into the Rivoli next week.....via another world premiere.....(Tuesday night is the time).....At the cocktail party and buffet supper.....was the trade and metropolitan press en masse.....Joan Bennett, Lynn Farnol, Monroe Greenthal, Harry Kosnier, Clarence Ericksen, P. R. Guth, John Leroy Johnston.....Arthur Jeffrey, Al Margolies, Bert Champion, Jack Allicote, Herman Wober, Bert MacDonald, Robert M. Gillham, Charles McCarthy.....Ed Churchill, Chick Lewis, Dorothy Masters, Bosley Crowther, Red Kann, Pete Harrison, Martin Quigley.....Ben Schlyen, Bide Dudley, Cecilia Ager, Bill Boehnel, Gladwin Hill and Herman Allen of AP, Bill Laas of UP, Arthur Levy of INS, Kelcey Allen.....Ken McCaleb, Ned Mishkin, and Herb Cohen.....were just a few of the many guests.....

Rodgers Asks End Of Petty Jealousies

(Continued from Page 1)

dealt chiefly with the increased policy on "Boom Town," with Rodgers expressing sentiments similar to those revealed last week at the N. J. Allied convention in Atlantic City. He said that the "Boom Town" policy had been tested before being offered exhibitors, and that in his opinion increasing theater admissions generally was not practical.

Rodgers asked for co-operation, and said that Metro's reputation of being the "friendly company" would continue to be upheld. He reiterated that exhibitors who didn't go along on the "Boom Town" policy would still get the picture as available. Rodgers also praised H. M. Richey, who recently joined the company, and who was also present.

Brief talks were also made by Tom Connors, Western division chief, and Bob Lynch, local Metro manager.

WB, NSA Both to Handle Warner Pix Accessories

(Continued from Page 1)

Vitagraph has withdrawn the suit pending against National Screen Service, Inc.

"Under the terms of this agreement," says the statement, "National Screen will offer to exhibitors a full line of advertising accessories and a complete service as heretofore, while Warner Bros. will continue to maintain its own poster sales rooms and will also offer to exhibitors its full service and complete line of advertising accessories as heretofore, including the manufacture and distribution of its own trailers."

Sears said he believed the co-operation of the two companies would result in a higher standard of accessories and in greater efficiency in their distribution.

Coincidentally, Warners said that ad accessories sales had reached an all-time high for "The Sea Hawk," running 20 per cent above the mark set by "Robin Hood."

Leo Blank Returning?

Chicago Leo Blank, formerly prominent in film theater management, is at the Blackstone Hotel. Reports are that he will return to the theater field.

WEDDING BELLS

Engagement of George Roth, of the Harry Goetz office, and Vivian Seadron is announced.

West Coast Bureau of THE FILM DAILY Los Angeles—Kay Stewart, film actress, and Langdon William Proctor, of Pasadena, have obtained a marriage license and will be married on Oct. 9.

Cleveland—Irving Ruben, assistant manager at Warners' Colony Theater and Dorothy Parris of this city, have taken out a marriage license.

Kuykendall Offers 5-Block Substitute

(Continued from Page 1)

the tying up of product on long term contracts," he said, "in order to put each company's pictures in competitive situations on the market at regular intervals, this can be done by a simple provision that would prohibit the licensing of pictures more than six months ahead of release. Such a provision would allow for cancellations at the time of booking, and would in effect do away with blind selling, as every feature picture is actually in production at least six months before it is finally released."

Kuykendall's bulletin "tore apart" the consent decree and asserted that MPTOA proposed to "exhaust every resource at its command to get the block-of-five restriction" changed to a required cancellation provision.

Commenting on the proposed arbitration system, Kuykendall said that "one thing that stands out is the complete absence of any effort to mediate complaints and adjust grievances by mutual agreement and by organized conciliation before it is necessary to resort to arbitration. This, we believe, is a grave defect in the system proposed. Arbitration should be a last resort, not the first step. Yet it appears that we are expected to plunge at once into a legal proceeding that leads to an arbitrary decision to settle the dispute or grievance."

Kuykendall said he had his doubts about compelling an exhibitor who has clearance and product to arbitrate and force him to comply with a decision that would benefit his competitor. He also rapped the proposal which would place the administration of the arbitration system in the hands of those unfamiliar with the business.

Restrict Theater Campaigns To Red Cross Drive Towns

Red Cross theater campaigns should not be undertaken in towns or communities where the Red Cross membership drive is starting Nov. 11, Prexy Ed Kuykendall advises in a current MPTOA bulletin. This is because the plans call for co-operation with the Red Cross drive, not for a special campaign to raise funds, it is pointed out.

In places where co-operation is expected, exhibitors should establish a committee to organize the drive in theaters and work with the local chapter of the Red Cross, Kuykendall explains.

A special trailer has been prepared for showing during the first week of the campaign and another will be shown during the second week.

"Band" Held in 15 Keys

"Strike Up the Band" has been held over for a second week in 15 of its first key city engagements, M-G-M reported yesterday.

Kuykendall Warns of Increased Taxation; Sees New Levies to Continue for Years

Warning exhibitors that increased taxation is growing right along, Ed Kuykendall, in an MPTOA bulletin yesterday, said that this condition calls for strong and alert exhibitor organization throughout the country.

The increased taxes, he said, will be with us for many years to come and that the heavy taxes on the general public will have a direct effect on the box office.

150 Notables to Attend "Knute Rockne" Opening

(Continued from Page 1)

part in the various festivities scheduled for the celebration of National Knute Rockne Week. Climax will be the four-theater premiere of Warners' "Knute Rockne—All American" on Friday.

The two trains meet in Chicago tomorrow afternoon and will be hitched together proceeding to South Bend as a single unit.

Headed by Jack L. Warner, the Western delegation includes: Mr. and Mrs. Charles Einfield, Mr. and Mrs. Robert Buckner, Mr. and Mrs. Donald Crisp, Miss Peggy Diggins, Miss Lucile Fairbanks, Mr. and Mrs. Bob Hope, Miss Rosemary Lane, Mrs. O'Brien, Sr., Mr. and Mrs. Pat O'Brien, Ronald Reagan, Miss Florence Rice, Miss Irene Rich, Charles Ruggles, Mr. Elizabeth Whitney, Miss Jane Wyman, Miss Gale Page, Miss Anita Louise, Ed Manson, Mr. and Mrs. Mack Miller, Arthur Ungar, Mr. and Mrs. Ed Schollert, Mr. and Mrs. William Wilkerson.

Mort Blumenstock will head the Eastern group, which includes: Postmaster General Frank C. Walker and Mrs. Walker, Franklin D. Roosevelt, Jr., Rudy Vallee, Owen Davis, Jr., who plays Gus Dorais in the film; Aben Kandel, author of "City for Conquest"; Wally Butterworth and Parks Johnson of the Vox Pop radio program; Mr. and Mrs. Dan Topping (Sonja Henie); Willie Howard.

Press contingent, which includes newspaper men from many Eastern cities, is topped by Joseph V. Connelly of King Features, William Randolph Hearst, Jr., Jack Lait, Damon Runyon, Ed Sullivan, Dan Parker, Bill Corum, Lee Mortimer and Louis Sobol.

Representing Warners are: From the home office, Mitchell Rawson, Harry Goldberg, Sid Rechetnik and Ralph Budd; Joe Feldman from Pittsburgh, and Manny Pearlstein from Cleveland.

Basic Agreement Changes To Be Completed Friday

(Continued from Page 1)

will be completed on Friday, and that copies will then be dispatched to theater managers, film companies and the Dramatists Guild for consideration of all three groups.

The Dramatists Guild Council is scheduled to meet on Friday and stand of that body is anticipated by the end of the following week.

Representatives of Warners, Metro and Paramount have been acting as observers for film interests generally in recent conferences on the amendment.

"Chemineau" at the 55th Street

Robert Mintz, who owns the French film, "Le Chemineau," has signed a contract with the 55th St. Playhouse for the initial run of the film, which will be released as "The Open Road." Pix opens Friday.

Hyde-Beelman Sell to Shea

Pittsburgh—The M. A. Shea Theatrical Enterprises, Inc., of New York, has bought out the interests of Hyde & Beelman in the Fulton Theater here. Theater will be extensively improved.

500 Industry Films Now Used in Schools

(Continued from Page 1)

picture's indebtedness to the D.A.R. and other civic, patriotic, religious and educational organizations, which throughout the years have been co-operating with the industry. He described this development as "one of the most remarkable enterprises in the field of co-operation ever undertaken."

Too much emphasis cannot be placed, he continued, on the state of mind brought to bear on the co-operative endeavors required these days in the U. S. "In dictatorships," he declared, "independent, or unorthodox, thinking is punished. The thought pattern there follows a single line—truth is what the dictator says it is, and woe to him who might call white white men when the despot says that white is black."

America should be made not only impregnable to war but—"strong enough to compel any whose pagan doctrine is violence to respect our peace," Hays stated, adding, "there is no argument or question concerning America's need and hurry for defense."

Neely's Bill Dead Issue, MPTOA View

(Continued from Page 1)

which the MPTOA plans to oppose when it is presented to Federal Judge Henry W. Goddard on Oct. 7, Kuykendall said it was the outgrowth of contentions, quarreling and disagreements.

"The attorneys for the producers and the Department of Justice just had something too hot and were looking for some place to lay it," he said. In regards to the 5-picture block units he said the producers would simply set in three "clucks" with a couple of good pictures and then "crum the entire lot down the throats of the people." Kuykendall deplored that it eliminates the exhibitors' present cancellation privileges and that the references as to clearance were so vague and hard to understand it was doubtful if any of the exhibitors would benefit thereby.

Wanger Speaking in Dallas

Dallas—Civic leaders, clergy, service club heads and citizens will participate with Dallas Variety barkers in entertaining Walter Wanger when he addresses the Dallas Tent tomorrow. Bob O'Donnell, chief barker, is making it a community event.

Roxy Shows Start Thursdays

Roxy, starting this week, switches to Thursday openings; Friday openings have ruled in the past.

To Ask Brief Delay In Decree Hearing

(Continued from Page 1)

of a lengthy session held yesterday at the Bar Association building.

The decree will be taken to Washington by Special Assistant Attorney General Robert Sher tomorrow. Sher may be accompanied by a number of the major company negotiators for the express purpose of having these company attorneys answer any questions raised by Assistant Attorney General Thurman W. Arnold.

Government officials yesterday reiterated their previously expressed intention of inviting all exhibitors interested to attend the court hearing. The spokesman discounted the efficacy of any opposition to the decree which may be raised by the three non-participating companies.

Pa. Bank Night Appeal Before Superior Court

(Continued from Page 1)

given by patrons entering the theater on Bank Night as the patrons paid to see entertainment, but it was argued by opposing counsel that payment of the admission to the theater on Bank Night was with the knowledge that there would be a drawing, and that therefore, was consideration.

Decision was reserved.

Major Companies Reserve Quigley Luncheon Tables

Ten additional tables, making a total of 31, have been reserved by major companies for the Ampa luncheon table in the Grand Ballroom of the Hotel Edison honoring Martin Quigley on his 25th Anniversary as publisher of the Motion Picture Herald, Leon Bamberger, Ampa president, announced yesterday.

Among the companies that have secured additional tables are: M-G-M, UA, National Screen, RKO-Radio and RKO Theaters. Tables have also been reserved for National Theaters, Skouras Theaters, Loew Theaters, Altec and Jules Brulatur, Inc.

Kansas-Mo. Exhibs. Call Decree "Disastrous"

(Continued from Page 1)

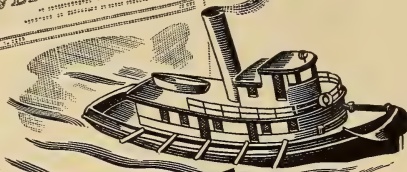
eral Court rules on Monday. It goes to Thurman W. Arnold, Assistant Attorney General. Signers are Frank Cassil, St. Joseph, Mo.; President Fred Meyn, Kansas City, Kan.; secretary-treasurer George Hartmann, North Kansas City; Homer Strowig, Abilene, Kan.; R. R. Biechle, Kansas City, Kan.; Gus Diamond, Salina, Kan. No other business was transacted.

Second Week for "Howards"

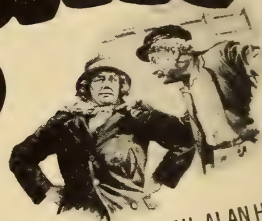
"The Howards of Virginia," will be held over at Radio City Music Hall for a second week.

Norman
Reilly
Raine's

THE SATURDAY
EVENING POST



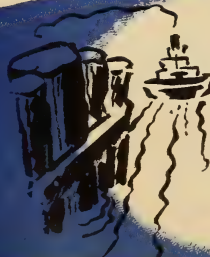
Tugboat Annie Sails Again



MARJORIE RAMBEAU · ALAN HALE
as Annie
and those two lovable sweethearts
JANE WYMAN and RONALD REAGAN
Directed by LEWIS SEILER

It's the happiest new-hit news in an age!
...And the happiest WARNER BROS. hit of all!
Just wait till you see it!

IT'S STARTED!



There's great show news here and we've already started the shouting! Two ads in successive issues of the Sat. Eve. Post! Two steady months of advertising in all fan mags! To be followed by a national newspaper ad campaign! All yours from **WARNERS!**

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 67

NEW YORK, THURSDAY, OCTOBER 3, 1940

TEN CENTS

GOV'T MAY APPROVE DECREE TOMORROW AID Issues Statistical Report on Film Buys

Allied Group Completes September Survey on Company Deals, Policies

An analysis of the sales policies and deals made by each major company has been completed for the month of September by the Allied Information Department and has been sent to exhibitors participating in the survey. Participation was not restricted to Allied membership. Statistical report asserts that some companies forced shorts while others deviated from announced policies.

Basing the information entirely on the AID figures, the Allied analysis gives the following data:

COLUMBIA: Announced sales
(Continued on Page 9)

Roosevelt to Produce Five Pix for Bronston

West Coast Bureau of THE FILM DAILY
Hollywood—Samuel Bronston, president of Samuel Bronston Productions, Inc., has announced completion of a deal whereby James Roosevelt will produce a series of five films for his organization. The first will be Jack London's novel,
(Continued on Page 12)

Copyright Policing Steps Studied by Ascap on Coast

West Coast Bureau of THE FILM DAILY
Hollywood—One of the subjects to receive special attention at the current convention of the managers and field men of the Pacific Western district of Ascap is the necessary procedure to be followed in the protection of the copyrights of the Society's members against infringements in
(Continued on Page 4)

Nazi Bomb Wrecks Birmingham's Rex

The new Rex cinema in Birmingham, England, erected at a cost of \$500,000, was destroyed by Nazi bombs dropped from a German bomber as it dangled from the lines of a barrage balloon after having been shot down by RAF fighters, the New York Daily News reported yesterday.

U. K. "DICTATOR" TERMS FLEXIBLE

Sales Policy in England to be Adjusted to Fit Prevailing Conditions, Says Kelly

While "The Great Dictator" will be sold at top terms in the U. S. and 70-30 will be asked for it in South America, the sales policy in England will be flexible, Arthur W. Kelly, head of UA's foreign department, said yesterday.

London premiere of the Charles Chaplin satire will be held between

Nov. 7 and 15 at the Odeon and Gaiety Theaters. A master print has been specially prepared by Chaplin to Service British Theaters, Kelly said, and this will be ready for shipment in about 10 days. Odeon, Leicester Square, is expected to run the pix on a continuous performance.
(Continued on Page 3)

Mo.-Ill. MPTO Will Battle Automatics

St. Louis—With slot machine movies appraised as potentially worse competition than the non-theatrical pix which the MPTO of St. Louis, Eastern Missouri and Southern Illinois has fought for years, the local MPTOA affiliate has referred to its Labor Committee the drafting of opposing strategy, it is learned.

At the unit's annual convention
(Continued on Page 11)

Monogram Stockholders Re-elect All Directors

Monogram's stockholders yesterday re-elected all directors at their annual meeting in New York. Recent acts of the board of directors
(Continued on Page 4)

Arnold to Ignore ITOA Poll Feels Decree Will Benefit Exhibitors

Industry Drops Press Writers in Axis Lands

Twenty-five names have been removed from the industry's accredited list of correspondents in Germany, Italy and countries occupied by the Axis powers. At a meeting of foreign department publicity heads, it was decided to stop sending publicity material to the 25 persons and to cancel passes held by them.

Consent Decree Before Wis. ITPA

Milwaukee—Opening session of the ITPA of Wisconsin and Upper Michigan at the Schroeder Hotel here yesterday was concerned primarily with an open discussion on the consent decree with Sidney Samuelson, business manager of Allied Theaters of Eastern Pennsylvania, answering questions.

W. L. Ainsworth, president of the ITPA of Wisconsin, declared the association has the greatest number
(Continued on Page 12)

"Fantasia's" Broadway Premiere on Nov. 13

Walt Disney's "Fantasia" will have its world premiere at the Broadway Theater, New York, on Nov. 13. Because of the special equipment
(Continued on Page 9)

Majors and D of J Attorneys to Hold Final Meeting With Arnold in Wash'n

Assistant Attorney General Thurman W. Arnold will confer today, in Washington, with representatives of the five majors, Government attorneys, and possibly the chief executives of some of the film companies, on the proposed consent decree which was completed yesterday.

Government officials stated that today's meeting will be the last one held before the decree is submitted to Federal Judge Henry W. Goddard and that it would determine
(Continued on Page 4)

Warner Libel Suit Dropped by Bund

Discontinuance of the \$500,000 libel suit brought in May, 1939, by the German-American Bund against Warners for alleged defamation of the Bund in "Confessions of a Nazi Spy" was permitted yesterday on the consent of Warners' attorney, Stanley P. Friedman. Fritz Kuhn,
(Continued on Page 4)

400 Simultaneous Dates Follow "Rockne's" Bow

More than 400 simultaneous engagements on Warners' "Knute Rockne—All American" have been set to follow the four-theater world
(Continued on Page 4)

Those Free P.A.'s in Night Clubs Off

Impromptu personal appearances of film players in public places, such as night clubs and theaters where it has been the custom to have them "say a few words" (without compensation) and take a bow before physical audiences or into radio mikes, is to be tolerated no longer. The executive committee of Theater Authority, Inc., is stepping on the practice, and all its affiliates, including SAG, are dittoing. Commencing Nov. 1, there'll be a fine of \$1,000 levied on performers violating the edict.

(Continued on Page 3)



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DONALD M. MERSEUR : : : : : General Manager
CHESTER B. BAHN : : : : : Editor

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FINANCIAL

(Wednesday, Oct. 2)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	8 1/4	8 1/8	8 1/4	—
N. Y. Pict. Vcs. (21)	10 1/2	10 1/8	10 1/2	—
Columbia Pict. pld.	20 3/4	20 1/2	20 1/2	— 1/4
Con. Fm. Ind.	—	—	—	—
Con. Fm. Ind. pld.	—	8	8	+ 1/4
East. Kodak	135	134	135	—
do pld.	—	—	—	—
Gen. T. Eq.	10 3/4	10 3/8	10 3/4	+ 1/2
Loew's, Inc.	25 1/2	24 3/4	25 1/2	—
do pld.	—	—	—	—
Paramount	7 3/8	7 3/8	7 3/8	+ 3/8
Paramount 1st pld.	85	85	85	+ 1/2
Paramount 2nd pld.	9 1/4	8 3/4	9 1/4	+ 1/2
Pathe Film	—	—	—	—
RKO	2 3/8	2 3/8	2 3/8	—
20th Century-Fox	6 1/8	6	6 1/8	+ 3/4
20th Century-Fox pld.	—	—	—	—
Univ. Pict. pld.	—	—	—	—
Warner Bros.	2 1/2	2 1/2	2 1/2	—
do pld.	—	—	—	—

NEW YORK BOND MARKET				
Keith B. F. ref.	6 1/4	102 1/2	102 1/2	— 1/8
Loew's deb.	3 1/2	103 1/2	103 1/2	—
Para. B'way 355	—	48 1/2	48	—
Para. Pict. cv. 3 1/4	47	—	—	—
Warner Bros. dbs.	6 1/4	84	84 1/4	+ 1/4

NEW YORK CUREB MARKET				
Monogram Pict.	7	16	7 1/2	7 1/2
Sonotone Corp.	2	1 3/4	2	+ 1/4
Technicolor	9 1/4	9	9 1/4	+ 1/8
Trans-Lux	—	—	—	—
Universal Corp. vtc.	3 3/8	3 3/8	3 3/8	— 1/2

Use Trailers to Fight Coast Daylight Saving

West Coast Bureau of THE FILM DAILY—Hollywood—Series of six trailers, to be distributed by as many major companies, will be employed by California exhibitors, to oppose daylight saving at the November state elections. Trailers are designed for consecutive exhibition.

S. J. Rosenthal Dies

West Coast Bureau of THE FILM DAILY—Hollywood—S. J. Rosenthal, father of Ann Rosenthal, attorney for the local William Morris Agency office, died here of a heart attack.

Weitman Heads Committee For Ball's Entertainment

Robert M. Weitman, manager of the New York Paramount Theater, has been appointed chairman of the entertainment committee for the Cinema Lodge's first annual banquet and ball at the Hotel Pennsylvania on Oct. 26.

Assisting Weitman are: Victor Blau, Jesse Block, Phil Bloom, Zev Epstein, Ed Fishman, Harry A. Gourfain, Harry Kalcheim, Jesse Kaye, William Kent, Ted Lewis, Abe Lyman, Harry Mayer, Michael Nidorf, Milton Pickman, Emanuel Sacks, Edward Sherman and Michael Todd.

In addition to acts appearing on the stage at all Broadway theaters, Weitman and his staff plan to have entire casts from many legitimate shows attend the Cinema Lodge Banquet and Ball at the Pennsylvania.

Pre-Release Abbott Pix In Many College Towns

RKO Radio's "Too Many Girls" from the George Abbott musical play will be pre-released at an early date in several scores of college towns, including Champaign, Ill.; Pullman, Wash.; Moscow, Ida.; Madison, Wis.; Chappell Hill, N. C.; Albuquerque, N. M.; Austin, Tex., and State College, Pa. The picture's theme is that of college life.

Coast Not Considering "Greater Movie Season"

West Coast Bureau of THE FILM DAILY—Hollywood—As far as the Coast is concerned, there is no truth in the report that plans are being considered for another "Greater Movie Season."

New S-W Drive Under Way

The Stanley-Warner Zone in Philly has started a new drive titled "The Drive To Meet and Beat The Emergency" in which 105 managers in nine districts will participate in \$4,000 in cash prizes. The drive, which extends to Aug. 31 next, is based on the greatest gross increase at each competing theater, according to Zone Head Ted Schlanger, with quarterly cash prizes for the leading district.

Tuttle Acquires Three Stories

West Coast Bureau of THE FILM DAILY—Hollywood—Newly organized Frank Tuttle Productions has taken options on three stories, "Grand Central Market" by Vicki Baum; "Honolulu Holiday" by Ralph Cedar and "How to Know Women" by Tuttle and John Bright. Tuttle is now working on releasing arrangements.

Gregory Joins Springer

Francis F. Gregory has resigned as manager of AudiVision, Inc. to become associated in the production of motion pictures with Springer Pictures, Inc. of Detroit and New York. Gregory will make his headquarters at 551 Fifth Ave.

New Theater Construction Uptrend In Mid-West

Chicago—Theater construction in the mid-West presents the brightest picture in two years, according to Mason G. Rapp, of C. W. & George L. Rapp, Inc., local architects active in the film house field. Firm has plans for a number of nabes in territorial cities and towns in work.

Exhib. interest in building, Rapp says, results from the tremendous increase in home construction during the last 18 months, together with anticipated indirect effect of the vast Government defense program.

Stipulation Settles Suit Against Harold Auten

A stipulation was filed yesterday in N. Y. Supreme Court settling the accounting suit brought by Maurice Mauger and Marcel Coutant, as receivers of Societe Pathe Cinema S. A., against Harold Auten. The defendant is to pay \$3,000 and to return all negatives and prints of a number of films belonging to the plaintiff. The suit involved a contract made in April, 1933, granting Auten sole U. S. distribution rights.

"Band" Biz in 34 Keys At 131%-218% of Normal

First 34 key city engagements of M-G-M's "Strike Up the Band" have resulted in business ranging from 131 per cent to 218 per cent of normal intake. M-G-M announced yesterday. Picture recorded 218 per cent of normal in Detroit; 216 per cent in New York and Norfolk and 207 per cent in Harrisburg, according to latest reports.

Ed. O'Toole, Colonnade Pictures Exec., Dead

Miami—Edward O'Toole, 74, secretary and treasurer of Colonnade Pictures Corp., died suddenly yesterday.

Schenck Trial Nov. 15

Trial of the Government action against Joseph M. Schenck was set for Nov. 15 by Federal Judge John W. Clancy yesterday. The Government agreed to notify Schenck by Oct. 15 as to the indictment which it will try first.

Inderbitzen Back as Exhib.

Buffalo—Byron A. (By) Inderbitzen, who gave up the exhibition field to become undersheriff of Erie County, is back in show business again, having acquired the Central Park Theater, North Buffalo, operated by M.M. Konczakowski.

Studio Publicity Parley Delayed

West Coast Bureau of THE FILM DAILY—Hollywood—Meeting of studio publicity heads scheduled for yesterday has been postponed and may be held next week.

COMING and GOING

MARK HELLINGER and his wife, GLADYS GLAD, leave Hollywood tomorrow via the Panama Canal for New York.

ELEANOR POWELL, Metro star, arrived here yesterday from Panama where she had been spending her vacation.

HUNT STROMBERG, after a visit with relatives in St. Louis, is in Cincinnati to attend the World Series.

JACK OAKIE, the Napoleon in Charlie Chaplin's "Great Dictator," will come East for the world premiere of the film on Oct. 15.

GLADYS GEORGE and her husband, LEONARD PENN, have arrived here from Hollywood and are stopping at the Warwick.

ROBERT ALLEN, 20th-Fox featured player in "City of Chance," arrived in New York yesterday and is stopping at the Dartmouth Club. He is considering stage offers.

CHARLES SPAAK, Belgian scenarist who did "Two Women" which Paragon Pictures is releasing, "Grand Illusion," "Un Carnet de Bal" and other French pix, will come to this country to write scenarios in Hollywood. When last heard from he was in Lisbon awaiting passage.

GEORGE ANTHEIL, composer, having completed his musical score for Columbia's "Angels Over Broadway," has gone to St. Louis where he will address the Kentucky Institute tomorrow.

RUSSELL BIRDWELL has left the Coast for New York to confer with Murray Silverstone on "The Thief of Bagdad" premiere here.

SPENCER TRACY is due back at the Coast today from the East.

JUDY CANOVA arrives here tonight from the Coast en route to Boston.

ANN RUTHERFORD leaves the Coast shortly for Greenville, S. C., where she will be guest at the annual Cotton Festival.

CONSTANCE BENNETT left the Coast yesterday on a seven-week vacation. Destination was not announced.

GAIL PATRICK is in Chicago to appear at the Tribune's annual fashion show, following which she goes to South Bend for the premiere of Warners' "Knut Rockne—All American."

ANDY W. SMITH, JR., RKO sales manager, is in Detroit.

ANDY SMITH, RKO sales manager, is on a business trip to Chicago.

FRANCES LANCFORD and JON HALL are coming to New York for p.a.'s at the Paramount Theater Oct. 16.

Griffith, Martin Deals Closed by RKO Radio

The R. E. Griffith and R. E. Martin circuits have signed for RKO's 1940-41 program, Ned Depinet announced yesterday. Griffith operates 118 theaters in the Southwest and Middle West. Martin has 42 theaters in Georgia, Florida, Alabama and Tennessee.

MALE SECRETARY

Capable Secretary and Assistant, with unflinching qualifications and thorough knowledge in all phases of the motion picture industry, desires connections where his merit, integrity and stick-to-it-iveness will more than warrant the complete confidence of his employer. Affidavits and recommendations—out of the ordinary—insure achievement in taking charge of an office and all its details to the most minute degree. Salary SECONDARY to OPPORTUNITY. Write Box 1910, THE FILM DAILY, 1501 Broadway, N. Y. C.

Flexible U. K. Terms For Chaplin's Film

(Continued from Page 1)

ance basis at popular prices while the Gaumont, Haymarket, will have a reserved-seat policy.

The sales policy in England will be adjustable to fit prevailing conditions. This means that for the first time the rental or percentage may be determined after the picture has played a theater, inasmuch as nobody can predict what effect the constant air raids will have on patronage.

Kelly said the admission prices would be increased for the London engagements, amount varying with the areas.

Kelly pointed out that Chaplin has always been the greatest individual box-office attraction in Great Britain, and it is believed by UA that in spite of the difficult war conditions, "The Great Dictator" will establish new records in gross, attendance and length of run.

PRC Franchise Holders Sell 50% In Six Weeks

West Coast Bureau of THE FILM DAILY

Hollywood—During the first six weeks of their sales campaign, the 24 franchise holders which Producers Releasing Corp. have in the aggregate, reported contracts for nearly 50 per cent of their total sales requirements for 1940-1941, according to Harry Rathner, president.

Outstanding among the PRC branches is George J. Gills' Washington, D. C. exchange, which has exceeded its total sales requirements by a large margin, to heavy circuit bookings there.

I & I Closes With 5 Majors

Chicago—The Indiana and Illinois Theater Circuit has closed for new season product with M-G-M., 20th-Fox, Warners, Universal and Columbia. Negotiations are under way with RKO, Para. and UA.

Mrs. E. B. Willey Dead

Rochester, N. H.—Mrs. Elizabeth B. Willey, 79, former owner of the Colonial Theater, now an Interstate unit, is dead.

"Happy Birthday to You"



From
THE FILM DAILY
James R. Grainger
Leo McCarey
Claude Allister
Lou Guimond
Henry Clive
Frank B. Good



● ● ● IN person and through the medium of a flood of congratulatory telegrams.....marked by the same cordiality.....a representative cross section of the film industry.....yesterday marked the silver anniversary of.....Martin Quigley.....as a motion picture trade paper publisher.....The occasion was Ampa's first luncheon of the new season.....at which he was the guest of honor.....The setting was the Grand Ballroom of the Hotel Edison.....which for the next year is expected to be Ampa's "home".....

● ● ● FOR an industry testimonial event.....there were several features.....which made the assembly of some 350 distinctive.....The dais was largely occupied by.....publishers and editors of the trade press.....who took the bows.....while the trade's top execs.....were at "family" tables below.....And to enumerate the latter.....would be virtually to repeat major company official personnel.....Then, too, as Prexy Leon Bamberger, presiding, pointed out.....the list of speakers was short.

● ● ● TERRY Ramsaye, also celebrating an industry anniversary.....and first to be heard.....reminded genially of the early Quigley days.....He was followed by Metro's Howard Dietz.....to whom was entrusted the introduction of the guest of honor.....That however was preceded by two presentations.....For Metro, Dietz wittily conferred upon Quigley the Order of Leo.....and a be-ribboned package, opened, yielded a lion cub.....while on behalf of Ampa, there was a parchment scroll.....acknowledging the publisher's long service.....Quigley himself.....with evident feeling and marked sincerity.....voiced his appreciation.....and spoke of the industry.....of the trade press.....of their co-operation.....then, noting Adolph Zukor present, cited him as representative.....of those leaders down through the years.....to whom the industry owes so much.....All in all, a happy event for the honor guest, for Ampa and for those who enjoyed its hospitality.....

● ● ● SOON to be shown 'round the country.....is "Power and the Land".....produced for the Rural Electrification Administration.....of the U.S. Dept. of Agriculture.....Film's director is Joris Ivens.....who some years ago.....turned out that swell documentary.....on land-reclamation in Holland.....Report has it.....that the skilled Master Ivens.....may soon journey to South America.....to fabricate some more documentaries.....Judging from what we've seen.....you can't beat the Dutch.....at turning out this type of picture.....

● ● ● STUFF.....Cuba's President.....—Hon. Federico Laredo Bru.....personally presented a medal of merit.....to Henry Weiner.....manager of UA's Havana office.....for his valuable patriotic services.....in fighting for Cuban independence in the Spanish-American War.....● Current visit to N. Y. of Busby Berkeley is that director's first in nine years.....● Manny Reiner, former assistant publicity-ad director for Monogram, has joined forces with George Kamen.....in commercial promotion of the Quiz Kids.....—NBC national network program.....● Harold Huber will make a p.a. tonite at opening of RKO Castle Theater in the Bronx.....● If film commitments don't conflict.....Vic Mature will play lead opposite Frances Farmer in Alex Wild's stage production of "Lysistrata" here this Autumn.....● Harry Carey (headlin' East in Nov.) is 'nother film figure who'll probably grace the local legit later this season.....● Prexy Nat Sanders of Leo Films, Inc.....is world premiere-ing "Mayerling to Sarajevo" hereabouts toward October's end (film'll be sponsored by the House of Hapsburg).....

Arnold Will Ignore ITOA's Decree Poll

(Continued from Page 1)

as replying: "I am not interested in any exhibitor poll. I have reason to believe that exhibitors will benefit by the decree as written."

Brandt is urging exhibitors to write letters to Federal Judge Henry W. Goddard, who will approve or reject the decree this month, and tell him their attitude on the matter.

Omaha Prosperity Club Before Neb. High Court

Lincoln, Neb.—Supreme Court was asked here to make some finding in the case of City Solicitor W. W. Wenstrand against the Omaha Motion Picture Exhibitors association in the matter of Prosperity Clubs. Wenstrand was denied in municipal court in Omaha, and is after an injunction from the state body, charging it's a thinly disguised step-child of now outlawed Bank Night.

Silverman Takes Ogden

Waukegan—The Ogden, East Side nabe, is now being operated by Manning Silverman, who also conducts the North Side Fern. House had been operated by R. J. Patterson for the past month, and previous to that by Fox-Wisconsin.

N. M. Theater Biz Drops

Santa Fe, N. M.—According to figures just released by the New Mexico Bureau of Revenue for June, 1940, gross income reported from theaters amounted to \$184,050, this being a decrease of \$42,995 from May, 1940, revenue. Basing the amount on the 1940 census which gave the state 527,800 population, 35c was spent for movies by each resident.

Sunday Vote In Livingston

Livingston, N. J. — Receipts of petitions bearing well over twice the required number of signatures gave assurance this week of an Election Day vote on the Sunday movies question here. Municipality has assurance of its first movie house if the Sunday shows are approved.

Mono. in Chi. Circuit Deals

Chicago—Henri Elman, local Monogram distrib., has closed circuit deals with Great States, Van Nomi-kos, Essaness, Alliance and Indianapolis.

Ah, Such Rivalry! !

Des Moines, Ia.—Harry Holsberg of the Des Moines Theater and Eddie Dunn of the Paramount Theater, are not only competing with each other for business, but are trying to outdo each other personally. But when Eddie took up flying the other day, he figured he had his competing manager stopped cold. But Harry also took up flying and announced he is going to practice parachute jumping next.

Gov't May Approve Decree Tomorrow

(Continued from Page 1)

mine "once and for all" the fate of the decree. Arnold's okay—and hence presumably that of his superior, Attorney General Robert Jackson—has been indicated. Formal D of J approval may come tomorrow, it was said last night.

The officials said that "they would not be surprised at all" if the importance of the meeting would draw to it certain film top executives, such as Nicholas M. Schenck, H. M. Warner and Sidney R. Kent, although the latter is scheduled to leave for Coast huddles today. If the decree is approved today, a postponement of the hearing slated for Oct. 7 will be in order to permit ample time for preparation by all parties concerned.

Expect Consent Decree Confab to Be Final One

By PRESCOTT DENNETT

Washington Bureau of THE FILM DAILY

Washington—What is expected to be final meeting on the consent decree between industry attorneys and the Government is slated for this afternoon in the offices of Assistant Attorney General, Thurman W. Arnold, anti-trust division chieftain.

Flanking Arnold at the inside confab where final details are expected to be worked out will be Wendell Berge, his first lieutenant; Holmes Baldrige, chief of trial section; Robert Sher and Robert Wright. The group may also call in Paul Williams, Government's courtroom head in the suit.

Wendell Berge told THE FILM DAILY last night that "the negotiations are making substantial progress." He would not be quoted further but anti-trust insiders are alive with optimism with the forecast that another "consent decree triumph" is about to become Government industry history.

It is pointed out that at similar conferences in other industries last minute concessions are often sought by defendants but the D of J viewpoint in the current matter is that the Department has conceded about all it can afford to concede.

It is learned that it is quite possible that the report on the confab may be laid before Attorney General Robert Jackson in time for an actual decree-settlement announcement before the end of the week—barring the always-possible hold-up.

"The Sportsmen" With Autry

West Coast Bureau of THE FILM DAILY

Hollywood—One of the busiest group of trained voices in Hollywood is "The Sportsmen." Aside from their "ether" work, they are constantly being signed for picture work. Their latest assignment was with Gene Autry in his forthcoming production "Melody Ranch," where in The Sportsmen will have a featured spot with Ann Miller.

Comedy Out, Simple Life In, in Jap Films

As Government Tells Studios What's What

Tokyo (By Air Mail)—Japanese Government has ordered native film producers to stress the simple life in future films. Also the producers have been advised, via the Home Office department which, through the exercise of censorship, holds the whip hand that it's no time for comedy. Latter on the screen must be held down.

Wholly under ban henceforth are "pictures of petit-bourgeois ideology depicting the self-interest of individuals, as well as scenes dealing with luxurious living, women smoking cigarettes, men drinking in cafes and dialogue with foreign words."

Campaign for the simple life has captured the support of usherettes in Tokyo cinemas: they've agreed to stop the use of lipstick.

400 Simultaneous Dates Follow "Rockne's" Bow

(Continued from Page 1)

premiere in South Bend, Ind., tomorrow, climax of the nationally-observed Knute Rockne Memorial Week. Because of the increased playdate demand, 25 per cent more than the usual number of prints were ordered for "Rockne."

Total of 45 dinners will be held tonight by Notre Dame Alumni Clubs over the country. Bob Hope emceed the South Bend dinner which will be piped in to all the local affairs over the Mutual network. Hollywood stars, Warner execs. and notables who are in South Bend for the premiere will attend the dinner there.

Message from the President to Mrs. Knute Rockne will be read at the South Bend dinner by Franklin D. Roosevelt, Jr., who left New York last night with the Eastern home office and guest contingent.

Premiere tomorrow will be followed by a grand ball, to be led by Gale Page and Knute Rockne, Jr.

Alex Schreiber Honored

Detroit—Alex Schreiber, head of Associated Theaters, was elected president of the Fresh Air Society, unit of United Jewish Charities, which provided 2,324 free weeks at camp this Summer for indigent children.

Times Square District Free of Sign Restrictions

Drastic restrictions on flashing electric and other large signs approved by the Board of Estimate last Summer have been eased by the City Planning Commission which has set up a Times Square District—the theatrical area—where such signs may be used.

District comprises, roughly Sixth to Eighth Aves., Thirty-ninth to Fifty-second Streets.

Warners Assign Writers

West Coast Bureau of THE FILM DAILY

Hollywood—Warner studio has assigned Heinz Herald to adapt "Quietly My Captain Waits" to the screen. Stuart Palmer will prepare the script for "The Smiling Ghost," while Charles Grayson will do the continuity for "She Couldn't Say No."

Mary Anderson for 'Miss Bishop'

West Coast Bureau of THE FILM DAILY

Hollywood—Richard Rowland has assigned Mary Anderson to the cast of "Three Cheers for Miss Bishop" for United Artists release. Martha Scott will be starred.

Copyright Policing Steps Studied by Ascap on Coast

(Continued from Page 1)

the event that an amicable solution is not arrived at between the organization and National Association of Broadcasters before Jan. 1, when the contracts with NAB members expire.

Richard J. Powers, in charge of the district, presides as chairman of the convention, which opened yesterday and closes tomorrow.

Monogram Stockholders Re-elect All Directors

(Continued from Page 1)

were approved as well as the minutes of the last board meeting.

Re-elected directors are W. Ray Johnston, Scott R. Dunlap, Trem Carr, O. Henry Briggs, William Jaffe, T. P. Loach, Norton Ritchey, Samuel Broidy, C. Merwin Travis and John Mangham.

Loach, vice-president, presided in the absence of Johnson in California.

Saenger Would Withdraw Registration Statement

Washington Bureau of THE FILM DAILY

Washington—Saenger Theaters Corp., New Orleans, La., has asked the SEC for permission to withdraw its pending registration statement. The SEC announced in a supplemented report that all securities of Educational Pictures, Inc., are deleted from exchanges.

Margaret Sullavan Assigned

West Coast Bureau of THE FILM DAILY

Hollywood—Margaret Sullavan has been assigned by Universal to the feminine lead in a re-make of Fannie Hurst's "Back Street." She refused to appear in "The Invisible Woman" but had agreed to act in another film. She will be available as soon as she finished her role in "Flotsam" for Loew-Lewin. Assignment eliminates Joan Fontaine.

Frank Morgan for "Wild Man"

West Coast Bureau of THE FILM DAILY

Hollywood—Metro will make "Wild Man of Borneo," from an old play by Marc Connelly and Herman Mankiewicz, with Frank Morgan in the title role. Billie Burke, Donald Meek and June Preisser will be in the cast.

"Silver Blaze" to Astor

Astor Pictures has purchased U. S. rights to "Silver Blaze" by A. Conan Doyle, and will release it about Oct. 15 as "Murder at the Baskervilles."

Warner Libel Suit Dropped by Bund

(Continued from Page 1)

former Bund leader, now serving a prison sentence for conversion of Bund funds, was granted until Nov. 15 to elect whether to continue his suit.

The complainant had attacked the picture because it depicts the Bund as being engaged in sabotage and subversive activities. Friedman stated that he was more than ready to defend the suit and could prove the truth of the film's picturization.

Warner Bros.' principal defense to the action, as outlined in its answer, was that the scenes and episodes and the activities of the German-American Bund portrayed in the picture were true, and that the Bund and its members were, in fact, active militant propagandists of Nazi ideology who endorsed and actively supported, and would implant and propagate in the United States, the totalitarian principles of Adolf Hitler.

Baldwin Selling the Tosa

Wauwatosa, Wis.—Marcus & Sverinoff, operators of several houses around the state, will take over the Tosa here Oct. 15 from Ross J. Baldwin. The new operators plan extensive improvements.

MTE Moves In New Haven

New Haven—Modern Theater Equipment Co. moves into new quarters in the Film Building with Louis Phillips in charge.

Apollo, New Haven. Leased

New Haven—Max Post, former manager of the 500-seat Apollo, dark for the Summer, has leased the theater from Fishman Theaters, Inc.

Will Show Local News

Athens, O.—Schines' Athens theater has installed a De Vry 16 mm. projector to show local news, including pictures of the games played by the Miami U. eleven.

Astor In Pam-O Deal Upstate

Eleanor Paradeis of Pam-O Film Exchange, Buffalo, has secured distribution rights for Upstate New York on four Shirley Temple two-reelers from Astor Pictures.

Chrissis Opens Chi. Rex

Chicago—The Jim Chrissis Circuit has opened the new 600-seat Rex as a second-run on the West Side.

STORKS!

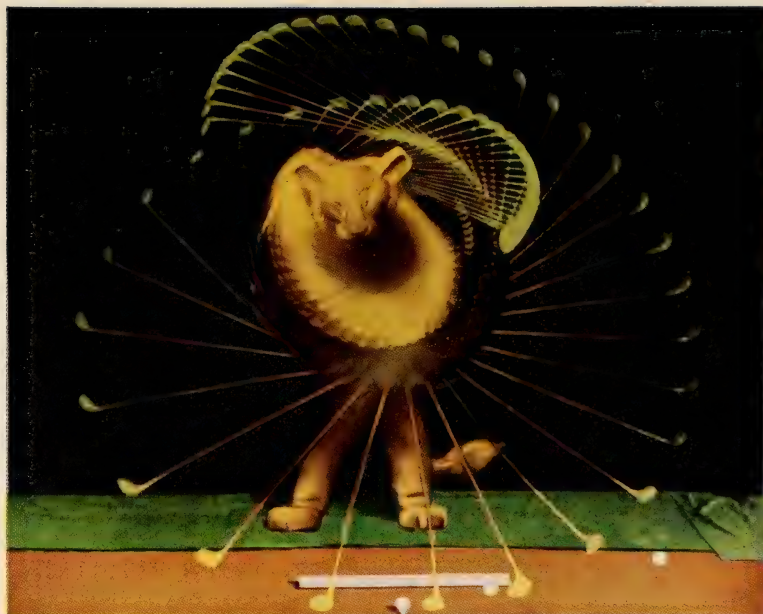
Chicago—A. Conroy, manager of B & K's Southtown theater is the father of a baby boy, born at Little Mary Hospital.

Will Briscoe, manager of the B & K Northside Cine theater, has a new son, born at the Ravenswood Hospital.



LITTLE ONES

*They Steal
the Show!*



ABOVE: Leo, Jr. is shown in the new "frozen motion" photography which is the basis for M-G-M's revolutionary contribution to Short Subjects.

A STROKE OF SHOWMANSHIP

to launch M-G-M's 1940-41
Season of Super Short Subjects

Introducing the Sensational Stroboscopic photography
in **PETE SMITH's "QUICKER'N A WINK"**

As usual it is M-G-M that breaks away from the routine! We know that showmanship demands new ideas to attract folks to your theatre. Again M-G-M does the unusual. Now, for the first time, movie audiences can see the unseen . . . action too fast for the human eye caught in "frozen motion" by Stroboscopic photography at the rate of 2,000 individual pictures per second...here's the screen's most sensational development since the advent of sound!

Imagine a camera capable of taking pictures up to one-hundred thousandth of a second. That's Stroboscopic photography as illustrated below. Note how the kicker's foot penetrates nearly half the diameter of the ball before the ball leaves the ground.





LEO, JR. MAKES BIG ONES OUT OF LITTLE ONES!

Here's His M-G-M Shorts Line-up For 1940-41

6 CRIME DOES NOT PAY—(Two-Reels) Timely, thrilling dramatizations, several based on nationally important racket investigations currently in the news, all produced with higher production budgets than average independent "B" features!

14 PETE SMITH SPECIALTIES—M-G-M's amusing and amazing sound-track wit and "unseen star" presents his own inimitable collection of credos and curios, and sundry human interest material highlighted with humor.

9 PASSING PARADE—John Nesbitt's extraordinary presentation of ordinary events pass in fascinating review. An excitingly NEW idea in short subjects--interesting as life itself!

10 MINIATURES—Significant documentaries of topical interest including Carey Wilson's absorbing "What Do You Think?" excursions into mental phenomena and the psychic unknown!

9 OUR GANG COMEDIES—For 20 years audiences have enjoyed the capers of this group of typical American youngsters. Now they're better than ever!

12 FITZPATRICK TRAVELTALKS—*In Technicolor.* Patrons will find a world of entertainment in next season's star-spangled panorama of the United States and America!

18 M-G-M CARTOONS—*In Technicolor.* Highly imaginative and thoroughly delightful animated drolleries created by Hugh Harman and Rudolph Ising and other cartoon geniuses.

104 ISSUES NEWS OF THE DAY—A real NEWS reel, now more than ever, with the largest camera and editorial staff in its brilliant history. Featuring JOHN B. KENNEDY'S *Front Page*, BILL STERN'S *Sports Page*, ADELAIDE HAWLEY'S *Womens Page*!



YOUR FOLKS ARE WAITING FOR THE NEW METROSCOPIX

(It's the improved successor to Audioscopix!)

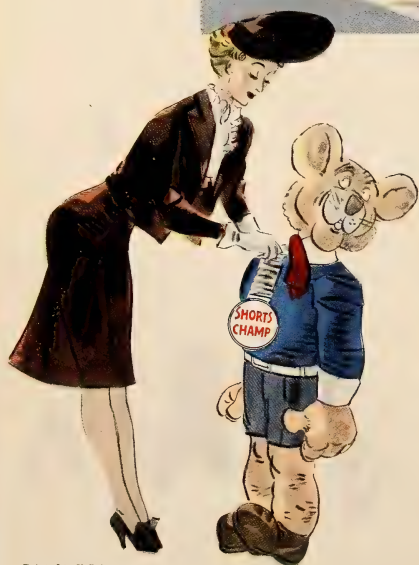
In addition to the great line-up of '40-'41 Shorts outlined above, watch for M-G-M's Super-Special Attraction entitled:

"THIRD DIMENSIONAL MURDER"

How the public shrieked and laughed at M-G-M's Audioscopix Shorts. Now we bring them a new one, vastly improved, that tells a complete story. A real old fashioned mystery melodrama in third dimension that will lift audiences out of their seats with excitement. A howling success!



FOR DISTINGUISHED SERVICE AT THE BOX-OFFICE!



Above are the trophies the industry has awarded Leo, Jr. in recognition of his superior shorts producing skill—an average of better than four medals per year for the past ten years is his enviable record. Proud as he is of these medals, Junior is prouder still of the extra business his shorts have brought to your box-office!

AID Issues Report On Picture Deals

(Continued from Page 1)

policy, 44 plus 16 westerns; two at 40 per cent, 6 at 35 per cent, 10 at 30 per cent, balance flat. Most deals were sold flat, either on selective contracts or allowed 20 per cent cancellation in most instances. Generally, the company did not force shorts but where they were bought, the amounts varied between 15 and 72. Where percentage deals were made, contracts were sold on the following basis: 10 at 40 per cent—balance flat; two at 35 per cent—balance flat. The report asserts that Columbia did not get any guarantees or preferred time.

Analysis of M-G-M Policy

M-G-M: Announced sales policy: Contract provides for a minimum of 44 and a maximum of 52 features. Four at 40 per cent, 10 at 35 per cent, 10 at 30 per cent and balance flat, according to AID. Report on this company says that the "majority of the Metro deals were made for four at 40 per cent, 10 at a high flat, 10 at a medium high flat, balance at a lower flat rental. No all-flat deals were reported. Metro sold selective contracts and generally granted 20 per cent cancellation." The AID committee claims forcing of shorts. Majority of exhibitors participating in the poll, it was said, paid a guarantee and bought with preferred playing time.

PARAMOUNT: Announced sales policy: selling 38 features; two at 40 per cent, eight at 35 per cent, 12 at 30 per cent, balance flat. The AID contends that Paramount deviated from its announced policy as indicated by the following deals: Where 32 were bought flat, one was at 40 per cent and five and 35 per cent, with guarantees and preferred time asked and 20 per cent cancellation; where 36 were bought flat, two were at 40 per cent, no guarantees, no preferred playing time and 10 per cent cancellation; where 35 were bought flat, one was at 40 per cent and two at 35 per cent, no guarantees, but preferred time asked and 20 per cent cancellation; where the entire 38 were sold flat, a 10 per cent cancellation was allowed.

According to AID, Paramount sold many all flat deals. On percentage deals, the report states, some were sold with a guarantee and some without—some contracts on preferred time and many without. AID contends, shorts and newsreels were forced, the number sold to each account varying widely.

RKO Radio Analysis

RKO: Announced sales policy: 46 features and six westerns; two at 40 per cent, six at 35 per cent, eight at 30 per cent, balance flat.

The AID report alleges that RKO sold the majority of its accounts flat and many bought selective deals. Shorts and newsreels were seldom forced. The cancellation granted was 10 per cent in some instances and 20 per cent in others, the report declares. The majority who bought

Japanese Exhibitors Using U. S. Revivals

Tokyo (By Air Mail)—In an attempt to satisfy the Japanese film patron's appetite for American pictures, native exhibs. are going in strong for revivals to meet the situation resulting from the severe restrictions on imports. Restrictions are the result of Japan's moves to conserve dollar exchange.

"Fantasia's" Broadway Premiere on Nov. 13

(Continued from Page 1)

necessary for the showing of the picture, the Broadway will be the only New York house to present it.

RCA Engineering Laboratories has given assurance that the first unit of the revolutionary sound equipment will be ready to install within the next two weeks.

"Fantasia" will be shown twice daily at reserved seats with the price scale ranging from 55 cents to \$2.20, depending on the location of the seats.

Kataris Drive-in Sold

Houston—Pete Kataris has sold his local drive-in theater to Underwood & Ezell, of Dallas, who have a drive-in in San Antonio. Understood that one of the reasons which led to the sale was Kataris' difficulty in obtaining product. Local drive-in played only Universal and Monogram pix.

More Delay in Chi. Operator Pact

Chicago—Negotiations for a new operators' contract have been postponed to next Tuesday, owing to the Jewish holidays.

Storm King to Brandt

Harry Brandt has taken over the Storm King theater, Cornwall-on-the-Hudson.

percentage, it continues, contracted for preferred playing time, but usually did not pay any guarantees.

TWENTIETH CENTURY-FOX: Announced sales policy: 52 features, two at 40 per cent, eight at 35 per cent, 14 at 30 per cent, balance flat. The AID says that Fox deviated from policy and that the vast majority made all-flat deals. In this regard, the report reads:

"Fox granted from 10 per cent to 20 per cent cancellation, and in many instances gave an outright number cancellable, varying from five to 10 pictures. They also wrote many selective contracts. Percentage contracts were sold usually without a guarantee or preferred playing time. Shorts and newsreels were sold in most instances and forced most of the time. Some contracts were sold with two at 35 per cent, others with one at 40 per cent and four at 35 per cent.

UNITED ARTISTS: This company, the AID reports, has no set sales policy, offering 22 or more pictures with a "very wide variation" in the kinds of deals sold. Usually, its pictures were sold flat, according to the analysis.

UNIVERSAL: Announced sales policy: 45 features and 16 westerns;

Coast Studios Start 10 More This Week

West Coast Bureau of THE FILM DAILY

Hollywood—Current week's new productions total 10. The roster:

At Columbia: George Stevens production, "Penny Serenade," co-starring Cary Grant and Irene Dunne; Robert Sherwood's production, "Legacy," starring Warner Baxter; "Ocean Gold."

At M-G-M: "Come Live With Me," co-starring James Stewart and Hedy Lamarr with Ian Hunter, Verree Teasdale and Gene Lockhart.

At Paramount: Gene Markey's production, "You're the One," with Orrin Tucker, Bonnie Baker, Albert Dekker, Edward Everett Horton, Jerry Colonna and Lillian Cornell.

At Republic: "Barnyard Follies" with June Storey, Mary Lee, Rufe Davis and Dorothy Harrison, radio personalities include, Mrs. Uppington, the Cackle Sisters, Jim Jeffries and Pappy Cheshire; "Bad Man From Rio," starring Don Barry with Julie Duncan, Ann Pennington and Arthur Loft.

At Universal: "Trail of the Vigilantes," with Franchot Tone, Broderick Crawford, Mischa Auer and Andy Devine; "Riders of Death Valley."

Richard A. Rowland's "Cheers for Miss Bishop" with Martha Scott, William Gargan, Edmund Gwenn and Dorothy Peterson.

70 "Down Argentine" Dates

Twentieth-Fox sales department has set 70 advance dates for "Down Argentine Way" new Technicolor musical. Pix will have its first openings on Oct. 9 at the Alvin Theater, Pittsburgh, and in houses in Allentown, Pa., Butte and Billings, Mont.

four at 40 per cent, three at 35 per cent, balance flat.

Universal sold many selective contracts and gave cancellation privileges varying from 10 per cent to 20 per cent. This company did not force shorts or newsreels in the majority of cases, the report declares, adding that "they got a guarantee and preferred time on some contracts, but not in the majority of deals."

VITAGRAPH: Announced sales policy: 48 features, four at 40 per cent, eight at 35 per cent, eight at 30 per cent, balance flat. The following were listed by AID as typical deals:

48 bought—all flat with 10 per cent cancellation; 32 bought—32 flat (selective contract); 48 bought—44 flat, four at 35 per cent; with 20 per cent cancellation; 48 bought—46 flat, two at 40 per cent and no cancellation; 40 bought—32 flat, two at 40 per cent, six at 35 per cent (a selective contract).

The AID charges forcing of shorts. MONOGRAM and REPUBLIC: Product of these companies were "bought just about the way the exhibitor chose, with the exception of those in competitive spots," according to AID, which said that "some were allowed to spot book."

HOLLYWOOD SPEAKING--

By RALPH WILK

HOLLYWOOD

◆ PETE SMITH is preparing to make a fourth in his popular series of Prudence Penny short subjects for M-G-M. This one will have to do with cooking from the male angle.

◆ REALIZING the appeal of animals to movie audiences, Edward H. Griffith is imitating a little of the circus and a little of the county fair in his Paramount production, "Virginia." He has rented 50 horses and five monkeys to use in the picture, and bought one calf, 20 ewes and four mules.

◆ OUR Passing Show: Jack Benny, George Burns and Mr. and Mrs. Leland Hayward (Margaret Sullivan) and their children at the opening performance of the Cole Brothers circus; Claudette Colbert, Franchot Tone, Deanna Durbin, June Preisser, Harry Joe Brown, Sally Eilers, Robert Cummings, William Wyler, Lou Irwin, David Biederman, Noll Gurney, Mack Miller, Oscar Cummins, Mitchell Hamblum, Adele Comandini at the preview of "Spring Parade."

◆ A BURNT out bearing in his car was a fortunate accident for Dale Van Every. Stopping overnight for repairs in Fresno, he caught Zona Marson's two-act play, "Take A Letter," which has been running for five weeks at Patterson's Little Theater. He immediately purchased a 30-day option.

◆ NORMAN TAUROG, who just completed "Little Nelly Kelly," for M-G-M, is entertaining Edward Brazelton, Australian exhibitor. Tauroug first met Brazelton five years ago when the showman was making his first visit to the States.

◆ WILLIAM SEITER, who is to direct another Deanna Durbin picture at Universal, has bought the world rights to "The Moon Over Healin'," a new song by Samuel Kenyon, Hawaiian composer.

◆ IT was title changing day at Twentieth Century-Fox. "Yankee Doodle Goes to Plattsburg" will be called "Rise and Shine;" "Tune In" will have the new role of "Stand Up and Cheer" and the final title for Geoffrey Household's novel, "Rogue Male" will be "Man Hunt."

◆ TONY GABLIK, Warners' art director for the past eight years, has been invited to exhibit two pictures by the Eberhardt Museum in Scranton. The paintings, Nazarene, a watercolor, and The Aspidochelone, an oil, will be on exhibit for the next month.

◆ LANA TURNER, Judy Garland, Hedy Lamarr and Tony Martin are among "name" personalities already assigned roles in "Ziegfeld Girl," which M-G-M will film and Robert Z. Leonard will direct.

◆ JAMES ROOSEVELT has signed Paulette Goddard for the stellar feminine role opposite James Stewart in "Pot o' Gold."

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Melody and Moonlight"

with Johnny Downs, Barbara Allen
(Vera Vague)

Republic 72 mins.
(HOLLYWOOD PREVIEW)

FILLED WITH LAUGHS, GAGS AND MUSIC, FILM WILL SATISFY FANS AND GIVE THE B. O. A HYPO.

A sure-fire, pleasing, laugh-filled picture that will more than satisfy those who see pictures and those who play them. This gag-full, semi-musical, runs along at a fast clip with little loss of momentum until the necessary heart-interest sequence and from there again rolls on to a laugh-full ending.

Taken from an original story by David Silverstein, Bradford Ropes comes up with a swift-moving, gag-filled, screenplay much to his credit. The direction of Joseph Santley takes full advantage of the story and is paced so as to extract the most in laughs, which it did at the preview. The cast, featuring Johnny Downs, Vera Vague, Jerry Colonna and Jane Frazee, enters into the spirit of the story and turns on some historicisms that keep the audience laughing throughout.

Downs, as a would-be hooper on the down beat, meets up with Jane Frazee, society deb, who is out slumming at one of the city's notorious dime-a-dance emporiums, as her last fling in resentment of her father's tyrannical insistence that she marry and settle down instead of seeking the theatrical life she insists upon.

After winning a dancing cup at the emporium, becoming involved in a brawl which ensues, leaving home to escape the marriage, falling in love with the personable Downs, she starts a Dancing School of the Air, which is stopped before the broadcast by the tyrannical father (Jonathan Hale), who brings pressure to bear on the sponsor, and the final intervention of Mary Lee, Down's little sister, who brings matters out into the open, winding matters up to every one's satisfaction, the audience included.

Downs does some fine dancing accompanied by Jane Frazee, who dances surprisingly well. This couple with her smooth renditions, gives her a double appeal. Vera Vague proves herself a definite asset in the cast. With her inimitable comedy pointed to and coupled with, the renowned Colonna, these two turn on a brand of comedy that will satisfy any audience.

Mary Lee, a new singing find, proves her audience-pleasing qualities in her "Top O' the Mornin'" rendition. Here is a youngster that should, and will most likely soon build herself a following. Hale handles his role with his usual capable aplomb. Claire Carleton, Frank Jenks in a small part, and Marten Lamont add to the picture's satisfaction through their portrayals.

Producer Robert North is deserving of credit for a finely turned out production. Cy Feuer handled the musical direction. George R. Brown, Sol Meyer and Julie Styne collaborated in the writing of the three musical numbers, "Tahiti Mornin'", "Top O' the Mornin'" and the theme song, "Melody and Moonlight."

Cast: Johnny Downs, Barbara Allen (Vera Vague), Jerry Colonna, Jane Frazee, Mary Lee, Frank Jenks, Claire Carleton, Jonathan

"Laddie"

with Tim Holt, Virginia Gilmore, Joan Carroll, Spring Byington

RKO Radio 70 Mins.
SOLID FAMILY PICTURE WITH ACCENT ON ROMANCE AND HUMAN INTEREST. SUITED TO ALL SPOTS.

Every inch a family picture, and one deftly made and acted, "Laddie," based on the Gene Stratton-Porter novel, is of the fiber which fans like. Its appeal is clean-cut—not to the spine but to the heart. Cliff Reid has given the film excellent production values, while Jack Hively's direction is of a high order, as is the casting. Bert Granet and Jerry Cady's screenplay is solid and delightfully conceived. The result of the technical teamwork is a motion picture of quality and charm. Story is direct and human, recounting the romance 'twixt Tim Holt, a young farmer who is proud of his calling, and Virginia Gilmore, the attractive daughter of a transplanted Englishman who holds the tilling of the soil to be beneath the dignity of a true gentleman. Miles Mander plays the role of this haughty and distraught man, upon whose mind preys the disgrace to which he has been subjected through the dishonorable discharge of his son from the British Army. But time and circumstances, despite Mander's tyrannical attitude, conspire to cap the vicissitudes of the lovers with happiness, and to bring the latter's respective families into harmony and mutual respect. Joan Carroll, cast as the little sister of Tim Holt, has a lush juvenile role which she plays to the hilt. Harry Wild's photography is splendid, and the musical score by Roy Webb goes a long way in making the action effective. The employment of background-music to give interpretative support and color to the dialogue is a technical highlight.

CAST: Tim Holt, Virginia Gilmore, Joan Carroll, Spring Byington, Robert Barrat, Miles Mander, Esther Dale, Sammy McKim, Joan Brodel, Martha O'Driscoll, Rand Brooks, Mary Forbes, Peter Cushing.

CREDITS: Producer, Cliff Reid; Director, Jack Hively; Author, Gene Stratton-Porter; Screenplay, Bert Granet, Jerry Cady; Executive Producer, Lee Marcus; Musical Score by Roy Webb; Director of Photography, Harry Wild; Special Effects, Vernon L. Walker; Art Director, Van Nest Polglase; Associate, Carroll Clark; Costumes by Renie; Recorded by Richard Van Hensen; Film Editor, George Hively.

DIRECTION, Fine. PHOTOGRAPHY, Top.

Coogan in Canadian Service

West Coast Bureau of THE FILM DAILY
Hollywood—Jackie Coogan leaves tomorrow for Trenton, Ont., to become a flying instructor for the Canadian Flying Corps.

Hale, Marten Lamont and "The Kidoodlers."

CREDITS: Associate producer, Robert North; Director, Joseph Santley; Author, David Silverstein; Screenplay, Bradford Ropes; Cameraman, Ernest Miller; Supervising Editor, Murray Seldeen; Editor, Ernest Nims; Art Director, John Victor Mackay; Musical Director, Cy Feuer; Songs by Julie Styne, George H. Brown, Sol Meyer; Dance Director, Aida Broadbent.

DIRECTION, Excellent. PHOTOGRAPHY, Very Good.

"Dulcy"

with Ann Sothern, Ian Hunter, Roland Young

Metro 64 mins.
(HOLLYWOOD PREVIEW)

SPIRITED COMEDY WITH FINE CAST SHOULD SATISFY ANY SCREEN AUDIENCE.

Ann Sothern's characterization of "Dulcy" will find favor with any audience. Backed by a stellar cast including Ian Hunter, Roland Young, Billie Burke and Reginald Gardiner, the picturization of "Dulcy," based on the George S. Kaufman and Marc Connelly play, swings into a spirited comedy tempo, guided by the understanding direction of S. Sylvan Simon, sustaining its movement to the final, satisfying, fadeout.

Dulcy, the ever-involved heroine, invites Roger Forbes (Roland Young), airplane manufacturer, his wife, Billie Burke, and daughter, Lynne Carver, to her estate for a week—and so that she may have the opportunity of getting Forbes' consent to her brother's (Dan Dailey, Jr.) marriage to his daughter, and to enable her own inventor-sweetheart to get a chance to interest Forbes in his new type airplane motor. This is complicated by the entrance of Reginald Gardiner, who has delusions of grandeur, and who poses as an airplane tycoon. Gardiner takes an option on the motor and arouses Forbes' competitive spirit. Coupled with the blunderings of Dulcy, involvement and comedy is rife until the ending. Offering fine support in lesser roles are Donald Huie, Jonathan Hale, Guinn "Big Boy" Williams and Hans Conried.

The fast-moving screenplay by Albert Mannheimer, Jerome Chodorov and Joseph A. Fields is very well photographed by Charles Lawton. Musical score is by Bronislau Kaper. Producer Edgar Selwyn equipped "Dulcy" with good production values, to his credit.

CAST: Ann Sothern, Ian Hunter, Roland Young, Reginald Gardiner, Billie Burke, Lynne Carver, Dan Dailey, Jr., Donald Huie, Jonathan Hale, Guinn "Big Boy" Williams, Hans Conried.

CREDITS: Producer, Edgar Selwyn; Director, S. Sylvan Simon; Based on the play by George S. Kaufman and Marc Connelly; Screenplay, Albert Mannheimer, Jerome Chodorov and Joseph A. Fields; Cameraman, Charles Lawton, ASC; Art Director, Cedric Gibbons; associate, Howard Campbell; Editor, Frank E. Hull; Musical Score, Bronislau Kaper.

DIRECTION, Understanding. PHOTOGRAPHY, Very Good.

Allen Named Co-ordinator For Red Cross Campaign

C. W. Allen, RKO's Omaha branch manager, has been appointed District Co-ordinator of the Red Cross Theater Campaign for the Omaha territory, it was announced yesterday by Major L. E. Thompson, general chairman of the drive.

Allen's appointment completes the list of district co-ordinators who will organize distrib. co-operation for the campaign.

"The Gang of Mine"

with the East Side Kids

Monogram 62 Mins.
(HOLLYWOOD PREVIEW)

RACING STORY WITH THE EAST SIDE KIDS MAKES A PLEASING OFFERING.

Here is a pleasing offering, with the "East Side Kids" showing keen interest in horse racing, and one of them, Leo Gorcey, trying to be a jockey. Joseph Lewis has turned in a good job of directing, while Sam Katzman functioned as producer.

The "Kids," Bobby Jordan, Leo and David Gorcey, Donald Haines and dusky Sunshine Sammy Morrison do splendid work. Clarence Muse gives a standout performance as the ducky, who brings a thoroughbred to New York from dear old Kentucky and helps develop into a champion racer. Dave O'Brien, Joyce Bryant, Eugene Francis, Milton Kibbee, Hazel Keener, Wilbur Mack and Richard R. Terry are among the other principals.

Muse is down on his luck and the "Kids" provide makeshift quarters for his horse. Eugene Francis induces his father, Milton Kibbee, to put up the entrance fee for the animal. Gorcey, a novice rider, loses his nerve when the race becomes tough and the thoroughbred trails the field.

An experienced trainer recognizes the horse's real worth, but urges Kibbee to use a good rider. However, Gorcey insists on doing the riding, and his pals induce Kibbee to give him another chance. At the last moment Gorcey realizes he cannot pilot the horse to victory, and although he has to use his fists, he "induces" a trained rider to take his place. The win follows.

CAST: Bobby Jordan, Leo Gorcey, Clarence Muse, Dave O'Brien, Joyce Bryant, Donald Haines, David Gorcey, Sunshine Sammy Morrison, Eugene Francis, Milton Kibbee, Hazel Keener, Richard R. Terry, Wilbur Mack.

CREDITS: Producer, Sam Katzman; Director, Joseph Lewis; Screenplay, William Lively; Cameraman, Robert Cline; Musical Director, Lew Porter; Editor, Carl Pierson.

DIRECTION, Good. PHOTOGRAPHY, Good.

Harrisburg Church Groups Will Battle Sunday Shows

Harrisburg—Ministerial Association of Greater Harrisburg and Dauphin County will finance a six-point program to fight the Sunday movie issue at next month's election. Simultaneously, the Dauphin County C. E. Union will wage its own anti-Sunday show campaign.

Natteford Sells Original

West Coast Bureau of THE FILM DAILY

Hollywood—Producers Corp. of America has purchased "She Loved An Actor," original story by Jack Natteford, and has signed Natteford and Luci Ward to adapt the yarn, and also to do a little polishing up on "Kingdom Come," which will star John Charles Thomas as soon as he completes an Eastern concert tour.

★ REVIEWS OF THE NEW FILMS ★

"Grand Ole Opry"

with Leon Weaver, Frank Weaver,
June Weaver

Republic 68 Mins.
PLENTY OF HILLBILLY MUSIC AND
AN EARTHY STORY SHOULD PLEASE
RURAL FANS.

This picture is okay as an offering in rural and backwoods districts. It is filled with hillbillies, hillbilly music and those earthy homilies that you would expect from rustics. Picture thus is aimed at a definite market and should satisfy it.

Leon Weaver, Frank Weaver, June Weaver, Lois Ransom, Allan Lane, Henry Kolker, John Hartley and Loretta Weaver headline the cast. In addition, Radio's Popular Artists, Uncle Dave Macon and his son Dorris, Roy Acuff and his Smoky Mountain Boys with Rachel, and George Dewey Hay, character specialists, help round out the cast. Frank McDonald was the director.

Kolker, a crooked newspaper publisher, and Ferris Taylor, lieutenant governor of the state who has become governor when the rightful office holder is murdered, are locked up for speeding by backwoods Judge Leon Weaver. The case attracts considerable attention, and through the efforts of Weaver and his friends a beneficial farm bill is passed as the governor and publisher are kept in jail. Weaver runs for governor, is framed, unframed, elected, and things take a turn for the better.

CAST: Leon Weaver, Frank Weaver, June Weaver, Lois Ransom, Allan Lane, Henry Kolker, John Hartley, Loretta Weaver, Purnell Pratt, Claire Carleton, Ferris Taylor, Radio's Popular Artists, Uncle Dave Macon and his son, Dorris, Roy Acuff and His Smoky Mountain Boys with Rachel, George Dewey Hay.

CREDITS: Associate Producer. Armand Schaefer; Director, Frank McDonald; Original Screenplay, Dorrell and Stuart McGowan; Cameraman, Jack Marta; Editor, Ray Snyder.

DIRECTION, O. K. PHOTOGRAPHY, Fair.

Autry's Coast-to-Coast Jaunt Starts on Sunday

Gene Autry, it was announced by Republic's home office yesterday, will leave the Coast on Sunday, immediately following his "Melody Ranch" radio program, on the first leg of his trans-continental jaunt which will take him to New York's Madison Sq. Garden where he will appear at the World's Champion Rodeo. Star will bring his movie mount, Champion, with him.

Republic's East and West Coast publicity departments are receiving the co-operation of TWA and CBS to spotlight the Autry trip nationally.

Autry will make stops in Phoenix, Albuquerque, Oklahoma City, Tulsa, Kansas City, Chicago, Detroit, Cleveland, Pittsburgh and Washington, and arrive in New York on Tuesday afternoon.

"Comin' Round the Mountain"

with Bob Burns, Una Merkel, Jerry Colonna,
Don Wilson, Pat Barrett

Paramount 80 Mins.
TRIFLING ENTERTAINMENT; TALENTED CAST IS HANDICAPPED BY TEPID SCRIPT.

What appears to be the outgrowth of an admixture of radio scripts and gags culled from various programs is labeled "Comin' Round the Mountain," with Bob Burns injected rather embarrassingly into the top role, to which he gives his best heroically, as do Una Merkel and the other cast members despite the shallow material afforded them.

It is understandable why this vehicle was made,—the fundamental idea being to disport in a feature film a number of the ether's more popular personalities, including Burns himself; Harold Peary who is the Gildersleeve of the Fibber McGee and Molly program; Bill Thompson, "Old Timer" of the same air show; Pat Barrett, who is the revered "Uncle Ezra" of the Camel hour; and Don Wilson, announcer de luxe of the Jack Benny show.

However, the results are not happy. chiefly for the reason that circumstances prevent the performers from showing to good advantage. The chief circumstance happens to be lack of a screenplay. One gets the feeling that the film sequences are illustrations depicting radio program gags.

Burns is cast as the hillbilly scion who returns to his mountain-dwelling folks and transplants them (until the feudin' season starts again) in a Tennessee hamlet so that they can give the world of radio its first authentic loudspeaker full of hillbilly tunes. There is a wisp of romance in the footage twist Burns and Una Merkel, but even this is on the travesty side. Burns becomes the town's mayor succeeding a melodramatic and villainous gent, and also wins the fair lady at the finale. But it's all pretty trifling entertainment.

CAST: Bob Burns, Una Merkel, Jerry Colonna, Don Wilson, Pat Barrett, Harold Peary, William Thompson, Richard Carle, Brenda Fowler, Olin Howard, Cliff Arquette, Luke Cosgrove, Leona Roberts, Zeffie Tilbury, William Demarest, Miranda.

CREDITS: Director, George Archainbaud; Story, Lewis R. Foster; Screenplay, Lewis R. Foster, Maxwell Shane, Duke Atterbury; Sound Mixer, George Dutton; Film Editor, Stuart Gilmore; Photography, William Mellor; Art Directors, Hans Dreier, Earl Hedrick.

DIRECTION, Good. PHOTOGRAPHY, Capable.

NWMP Set for 13 More Canadian Key Playdates

Thirteen additional Canadian key city engagements for NWMP have been set to follow the De Mille picture's four-theater world premiere in Regina on Oct. 21, N. L. Nathanson, FPC prexy, has advised the Paramount home office. All are expected to have p.a.'s by cast members.

★ SHORTS ★

"Britain's R. A. F." (March of Time)

RKO Radio 18 mins.

Exceptionally Interesting

With the Battle of Britain being watched by the American public with eager attention, and the exploits of the R. A. F. as the key to holding off the threatened Nazi invasion, this issue of the March of Time packs heavy interest for filmgoers of all ages. Not only is the topic timely, the footage highly informative, and the treatment skillful, but there are numerous camera shots of such an unusual and spectacular nature that they should not be missed by any theater patron.

Once seen, this picture leaves an indelible impression of the importance of the aerial arm in the current conflict, and, further, it imparts vividly the excellent physical fibre of the R. A. F.'s men and machines. Sequences disclose, abetted by fine narration, the vital co-operation 'twixt fliers and both the land and naval forces. Coast defense and anti-aircraft guns are shown in action, as are the various types of fighter and bombing planes. There are peeps into Britain's aircraft factories, into her far-flung system of training personnel both at home and in overseas possessions, and even into Air Ministry's workings.

But most arresting of all are the scenes revealing combats aloft, resulting in the firing by Nazi aircraft of barrage balloons, and the destruction dealt to the invading squadrons of Goering by the indomitable pilots of Hurricanes and Spitfires. "Britain's R. A. F." is worthy of booking by all houses,—and worth the price of a full program to see.

"Popular Science JO-1"

Paramount 11 mins.

Good Subject

A nicely diversified reel in Cinecolor, that should be enjoyed by every member of the audience. Opening sequence shows a new disaster truck in Portland, Ore., which contains a great variety of equipment for fighting fires and making rescues. Then some shots of a short-legged breed of cattle, and some views of carrier pigeon training in the U. S. Signal Corps. Mid-reel the Wily Wizard of Waukesha, a Popular Science gag, unveils his comical contraption for deburring radishes.

Siegel on "Sis Hopkins"

West Coast Bureau of THE FILM DAILY

Hollywood—Sol C. Siegel will produce Judy Canova's next picture, "Sis Hopkins." This will be his next assignment after he completes "Melody Ranch." Paul Yawitz has been signed to do the treatment.

Mo.-Ill. MPTO Will Battle Automatics

(Continued from Page 1)

here this week, Prexy Ed Kuykendall of the MPTOA touched on the slot machine movie problem in his address.

Kuykendall asserted he had discussed the matter with James Roosevelt, associated with the Chicago Mills interests in developing the slot machine movie field, but added he had found Roosevelt "evasive."

According to information received here, slot machine movie promoters have already made provision for 15-minute subjects and may increase the length to 30 minutes.

Subjects thus far introduced, however, have had a three-minute running time.

STATEMENT OF THE OWNERSHIP, MANAGEMENT, CIRCULATION, ETC., REQUIRED BY THE ACTS OF AUGUST 24, 1912 AND MARCH 3, 1933.

"THE FILM DAILY," published daily except Saturdays, Sundays and Holidays at New York, N. Y., for October 1, 1940:

State of New York } ss:
County of New York

Before me, a notary public, in and for the State and County aforesaid, personally appeared Donald M. Mersereau, who, having been duly sworn according to law, deposes and says that he is the Business Manager of "THE FILM DAILY," and that the following is, to the best of his knowledge and belief a true statement of the ownership, management (and if a daily paper, the circulation), etc., of the aforesaid publication for the date shown in the above caption, required by the Act of March 3, 1933, embodied in Section 537, Postal Laws and Regulations, printed on the reverse of this form to wit:

1. That the names and addresses of the publisher, editor, managing editor, and business manager are:
Publisher, John W. Allicote, 1501 Broadway, New York, N. Y.; Editor, Chester B. Bahn, 1501 Broadway, New York, N. Y.; Managing Editor, Donald Mersereau, 1501 Broadway, New York, N. Y.

2. That the owners are: "Wid's Film & Film Folk," Inc., 1501 Broadway, New York, N. Y.; John W. Allicote, 1501 Broadway, New York, N. Y.; Pearl Dannenberg, 1501 Broadway, New York, N. Y.; Addie Dannenberg, 1501 Broadway, New York, N. Y.; Edna Sussman, 1501 Broadway, New York, N. Y.

3. That the known bondholders, mortgagees and other security holders owning or holding 1 per cent or more of total amount of bonds, mortgages, or other securities are: None.

4. That the two paragraphs next above, giving the names of the owners, stockholders, security holders, if any, contain not only the list of stockholders, security holders as they appear upon the books of the company, but also in cases where the stockholder or security holder appears upon the books of the company as trustee or in any other fiduciary relation, the name of the person or corporation for whom such trustee is acting, is given, also that the said two paragraphs contain statements embracing affiant's full knowledge and belief as to the circumstances and conditions under which stockholders and security holders who do not appear upon the books of the company as trustees, hold stock and securities in a capacity other than that of a bona fide owner and this affiant has no reason to believe that any other person, association or corporation has any interest direct or indirect in the said stock, bonds or other securities than as so stated by him.

5. That the average number of copies of each issue of this publication sold or distributed, through the mails or otherwise, to paid subscribers during the 12 months' preceding the date shown above is 4,985.

D. M. MERSEREAU,
Business Manager.
Sworn to and subscribed before me this 1st day of October, 1940.
(Seal) Florence Abramson.

Roosevelt to Produce Five Pix for Bronston

(Continued from Page 1)

"Martin Eden," going into production in December. All pictures will be released through United Artists.

Henry Henigson will act as production manager.

WE, Westinghouse Set Aid for Men in Service

Western Electric Co. employees of a year or more, if called to military service will receive a year's leave of absence and the company will make up the difference between Government pay and their former salaries for the first three months of service, it was announced yesterday by C. G. Stoll, president.

Upon discharge from service, former employees will have 40 days to apply for reinstatement to their previous jobs or comparable spots, and under the pension plan employees will receive full credit for their previous term of employment plus the period of Government service. Company will make up the difference in death benefits between Federal and State benefits and the total provided for under its own plan.

Pittsburgh—A year's leave of absence and a month's pay will be granted Westinghouse Electric & Manufacturing Co. employees called under the Selective Service Act. Reinstatement upon discharge from Government service has been provided and "employment or promotion to fill a vacancy created as a result of granting the leaves will be considered temporary," according to a statement by W. G. Marshall, Westinghouse v-p.

Washington V. C. Gets \$1,731 From Champ Bout

Washington Bureau of THE FILM DAILY
Washington—The Variety Club received \$1,731 as its share of the Henry Armstrong-Phil Furr welterweight championship fight held here. Carter T. Barron, Loew's division manager and chairman of the sports committee said the money will go to the welfare fund for charity purposes. The profits were split equally between the Variety Club and Joe Turner.

Barron said another match will be put on here.

Angros Opens the Sylvan

Coudersport, Pa.—New 600-seat Sylvan Theater, owned and constructed by Joseph A. Angros, has opened.

Only Four Chicago Houses Use Triples

Chicago—Triples, once a menace, are virtually at the fadeout stage here. Checkup shows only four houses now using them. Book giveaways also have passed; at any rate, none is advertised currently. Premiums, however, are being used by 24 houses.

"Smuggled Goods" Racket Finds Victims Galore Among the Trade in the Dominion

St. John, N. B.—The old "smuggled goods" racket is being employed to "take in" scores in film biz in the Eastern provinces. Victim gets a call that he may expect a package of smuggled liquor or cigars, sent with a friend's compliments. Package arrives, but with a delivery charge of \$5. When it's opened, the liquor turns out to be water, the cigars, sawdust. Victims are all in the trade, with exchange managers and film salesmen special targets. They're told the packages are coming from exhibs, as marks of appreciation.

Shapiro, Gen. Chairman For W. Pa. AMPTO Meet

Pittsburgh—The AMPTO of Western Pennsylvania, Inc., has appointed the following committees for the 20th annual convention to be held at the Roosevelt Hotel here Oct. 22-23:

General Chairman, M. N. Shapiro. General Convention Committee—Samuel Gould, Alex S. Moore, William Finkel, Archie Fineman, Stephen Santa and Nathan Rosen, of Pittsburgh; George M. Purcell, Uniontown; Harry Goldberg, Beaver Falls; N. A. Malanos, East Pittsburgh; J. L. DeLisi, Nanty-Glo; William Gray, Monongahela; J. G. Carruthers, Grove City; Larry Puglia, Waynesburg; M. Serventi, Rimersburg; Miss C. R. Cuper, Washington; J. T. Birocco, Clarion; Gene Basle, Washington; John C. Eisler, Scottsdale; Peter Frohli, Vestaburg; Werner Lund, Daistown; Jean Angeli, California; R. S. Higgins, Charleroi; J. J. McFadden, Rensselaer.

Entertainment—Carl A. Poke, chairman, and Norman C. Huhn, Pittsburgh; E. T. Beedle, Canonsburg; Floyd Bender, Millvale; Harry Walker, Crafton; Sam Fleishman, McKees Rocks.

Grievance—R. Allison, Cresson, chairman; Harry Fleishman, Pittsburgh; Morris Roth, Duquesne; Frank Panopoulos, Clairton; Wm. J. Walker, Crafton; Peter Antonopulos, East Pittsburgh; Gilbert Gellman, Swissvale.

Resolutions—Geo. Corcoran, Monongahela, chairman; I. Roth, Pittsburgh; Fred Beedle, Canonsburg; A. P. Way, DuBois; F. H. McKnight, McKees Rocks.

Publicity—Jerry Roth, chairman, H. L. Shearer, and Jake Soltz, Pittsburgh; Rudolph Navari, Verona; Harry Rachiele, Sharsburg; and R. E. Klingensmith.

Ways and Means—Joseph Gellman, Duquesne, chairman; Bennett Amdur and Harry Hendel, Pittsburgh; Dr. C. E. Herman, Carnegie; C. R. Blatt, Somerset; Wm. R. Wheat, Jr., Sewickley; Frank King, California; Oliver A. Kihchel, Jeannette; J. H. Rankin, Bridgeville; Herman Stahl, Oil City; Bart Dattola, New Kensington; Theo. Mikolowsky, Masonstown; John Oglietti, Leechburg; J. C. Friberg, Johnsonburg.

Convention program is to be outlined at a directors' meeting Thursday.

Bob Wills' Cowboy Band In Tex Ritter's Film

West Coast Bureau of THE FILM DAILY

Hollywood—Tex Ritter and his company leave next week for Keene's Camp near Idylwild, where they will film "Oklahoma Bound," an original by Robert Emmet, formerly titled "The Parson of Devil's Camp." Edward Finney will produce the picture for Monogram, with Al Herman directing.

Bob Wills and his Texas Playboys will be the first of a series of cowboy bands featured in Ritter's 1940-41 films for Monogram. Included in the cast will be Slim Andrews, Terry Walker, in the feminine lead; Carl Hackett, Donald Curtis and Gene Alsace.

Stahl Opening In November

Pittsburgh—The new 500-seat theater being constructed in Munhall by John E. Stahl, who owns and operates the Stahl and Elite Theaters in Homestead, will open about the

Prize Winners in "U's" Wash'n Award Contest

Washington Bureau of THE FILM DAILY

Washington—Prize winners of the recent Exhibitor's Appreciation Award Contest, from June 1 to Sept. 1, in Universal's Washington branch, announced by Bernard B. Kreiser, special representative of the home office, are:

For theaters—First prize, \$25, Leon Zellers, Roxy, Baltimore; Second, \$15, Bernie Depkin, Rives, Martinsville, Va.; Third, \$10, H. O. Thrush, Liberty, Keyser, W. Va. Honorable mention went to W. R. Tanner, Free State, Kenbridge, Va., and Joe Walderman, Monroe, Baltimore.

For bookers—First prize, \$25, Barry Goldman, Rome Theaters, Baltimore; Second, \$15, Ivan Rosenbaum, Neighborhood Theaters, Richmond; Third, \$10, Miss M. Sweeney, Bernheimer Theaters, Washington. Honorable mention to Miss G. Ketchum, Dominion Theaters, Washington, and Morris Hendricks, Hicks Theaters, Baltimore.

Stage Show Competition On Detroit Come-Back

Detroit—Stage show competition is making a distinct come-back, with Midwest Theaters' Colonial, which opened a week ago as the only house with a permanent vaudeville policy, doing better than average business despite bad weather handicaps. Phil Regan, who headlined the show, built business 25 per cent over his appearance here last year.

One United Detroit house, the Broadway Capitol, is booking in Aloma and Company, mentalist troupe, for a week, while reconstruction of the stage for pit shows is being completed at both the Fox and the Michigan.

Musical comedy stock, the first in town in several decades, opens Oct. 12 at the Wilson for a 30-week season, under direct management of J. J. Shubert.

Asks Chicago Raise Ban On "Beasts of Berlin"

Chicago—With "Pastor Hall" showing here although originally banned by the police censor, Lieut. Harry Costello, Henri Elman of the Capital Exchange has asked the Censor Board to lift the ban on "Beasts of Berlin" ("Goose Step").

W & V Sells to Yost

Harrisburg, Pa.—The Grand, a nabe house, has been sold by the Venable Realty Co. (Wilmer & Vincent), to Walter F. Yost, who operates the Penway.

Consent Decree Before Wis. ITPA

(Continued from Page 1)

of members in years and as a result it was voted to increase the board of directors from nine to 12 members. Action on yesterday's discussion is expected to be taken today at which time new officers will be elected and the convention close with an annual banquet.

A cocktail party followed the yesterday afternoon session, which was open to members only. Guests in attendance included H. M. Richey, M-G-M exhibitor contact.

Cleveland Variety Club To Hold Election Party

Cleveland—The Variety Club, headed by Nat. L. Lefton, announces an Election Party on Nov. 5. Arrangements are in the hands of Bert Stearn, UA district manager as chairman, together with Dave Hyman and Dave Spizell. Program will include dinner, dancing, cards and Keeno. Prizes totalling \$1,000 will be given away.

A. M. Goodman, UA branch manager, has been appointed chairman of the Monday Night Stags, as successor to "Duke" Clark, now Paramount branch manager in Los Angeles.

Detroit Council Kills Schneider Parking Plan

Detroit—Plans of A. F. A. Schneider, owner of the Stratford Theater, to relieve local parking congestion by constructing parking space inside the curb on the side street by the theater property were vetoed by the City Council. Reason given was a general veto against angle parking in the city, although it would apparently relieve congestion in this instance.

Death Benefit Under Group Policies for Chi. Draftees

Chicago—Equitable Insurance Co. has advised 1,800 employees of B & K, Alliance Theaters and Roseland State circuit insured under group insurance policies that, if called for military service, death benefits will be maintained, but health insurance will be inoperative.

Lasker Building in Berwyn

Chicago—The Lasker Theater circuit which recently gave up its lease on the Roxy, Berwyn, will erect a new house in the west side suburb.

Another Paradise For Film Salesmen

Albuquerque, N. M.—This should be a salesman paradise, too. Albuquerque with a population of only 35,378 has eight theaters, three first-run, and a fourth part first-run. Seven of the theaters are downtown, and one in the suburbs.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 68

NEW YORK, FRIDAY, OCTOBER 4, 1940

TEN CENTS

GENERAL PRICE BOOST MEETS OPPOSITION Consent Decree Conference Off Until Tuesday

Counsel for the Majors and Company Top Executives Expected to Attend Parley

Washington Bureau of THE FILM DAILY

Washington—Taking cognizance of the Jewish holidays, Assistant Attorney General Thurman W. Arnold yesterday deferred the scheduled final conference on the proposed consent decree in the New York equity suit until next Tuesday.

At the Department of Justice, Arnold had been expected to arrive from the Coast by plane Wednesday night to participate in a conference originally set for yesterday. However, he telegraphed his office yesterday.

(Continued on Page 9)

Set \$200,000 Ceiling In Dramatists' Pact

Tentative agreement reached between film companies and the Dramatists Guild regarding backing of stage plays and subsequent purchases of screen rights by film companies is reported to set a ceiling of \$200,000 upon payments out of the gross of a play to the author and manager when backed by a film company. Any further payments are

(Continued on Page 4)

Select Attractions Will Release 8 Hirliman Pix

"Adolescence," first feature to be produced at the Colomnade Pictures studio in Florida, will be released by Select Attractions through a deal just closed with George Hirliman, its producer, it is announced by E. L. McEvoy, Select's general sales manager.

Hirliman will make a series of

(Continued on Page 4)

Connecticut Exhibs. Use Cooking School

New London—The Garde is trying the Spy-Koper cooking school for a matinee. Many houses in the state are using the idea, as an added attraction to patrons preceding the regular show.

Broadway Theaters in Admission Jumps

New price policy has been adopted by the Strand, Capitol, Roxy and Paramount by which morning admissions have been increased from 25 cents to 35 cents and evening prices for Saturdays, Sundays and holidays have been "hiked" from 75 cents to 85 cents. Rivoli has also advanced its morning prices in line with the other houses. Taxes are absorbed in the new prices.

Atlas, RCA Increase RKO Stock Holdings

Washington Bureau of THE FILM DAILY

Washington—Report of RKO in the SEC's semi-monthly summary of security transactions and holdings discloses that Atlas Corp. has acquired 3,228 shares of its \$1 par common, 928 shares of which were received as a creditor. This brings Atlas' holding to 594,318 shares and 268,230 through the American Company.

RCA also received 926 shares as a

(Continued on Page 4)

"Rockne" Premiere Draws Thousands to South Bend

South Bend, Ind.—Attracted by the arrival of celebs. from both West and East yesterday for the quadruple world premiere tonight of Warners' "Knut Rockne—All American," highlight of the nationally ob-

(Continued on Page 4)

NBC Tele for D.C. Assured Wardman Park Hotel Facilities Are Leased

English Sectional Biz Holds Up Despite Raids

Picture business in certain sections of England continues to be good despite the constant raids, according to reports received by Arthur Kelly, vice-president in charge of United Artists' foreign department.

Populations that have evacuated

(Continued on Page 9)

Exhibitors in Favor Out-numbered by Those Against, Survey Tends to Establish; Theater Operators Split On Admission Increases for Specific Quality Product

The question of whether there should be a general increase in admissions or a tilted scale for certain pictures apparently has no uniform answer, judging by a survey conducted by THE FILM DAILY through its staff correspondents throughout the country. The only fact that stands out in this first presentation of exhibitor opinion is the lack of accord, although those opposed to a general price boost have an edge over those who favor the move.

John Maxwell, U. K. Film Leader, Dies

London (By Cable)—John Maxwell, chairman and managing director of Associated British Pictures Corp., Ltd., former president of KRS and one of the stalwarts of the British film industry, died Wednesday night, it was announced yesterday.

A Glasgow, Scotland, solicitor, John Maxwell entered the film industry in 1912 as an exhibitor. Subsequently, he became associated with Wardour

(Continued on Page 4)

Abrams Resigns As "U" Shorts Sales Manager

Resignation of Leo Abrams as Universal's short subject sales manager was announced yesterday. William Scully, general sales manager, said a successor would not be appointed for the time being.

Abrams plans to take a vacation in the South before announcing his

(Continued on Page 4)

Tareyton Will Build Coral Gables Studio

A new two-stage studio in Coral Gables, Fla., is to be erected shortly by Southern General Service Studio Corp., recently formed by H. L. Tareyton of Coral Gables. Company has been incorporated for \$250,000 and construction of the studio is scheduled to start next month.

Before returning to Florida Wed-

(Continued on Page 3)

ITPA of Wis. Re-elects Ainsworth as Prexy

Milwaukee — W. L. Ainsworth, Fond Du Lac, was re-elected president of the ITPA of Wisconsin and Upper Michigan, closing the convention ses-

(Continued on Page 4)

Fortune Spotlight Will Turn on UA

Fortune magazine is preparing an article on United Artists, its personnel, production, history and method of operation. Color photographs of "The Dictator" will be used as well as shots in color on the forthcoming opening in New York. Feature is planned for the December issue.

Washington Bureau of THE FILM DAILY

Washington—Establishment of a television center in Washington by NBC was assured yesterday when Prexy Niles Trammell signed a lease with the Wardman Park Hotel for television station and studio facilities.

NBC plans not only to present varied programs of sports and other entertainment features to residents of the capital area, but when relay

(Continued on Page 3)

THE NEWSPAPER OF FILM DOMAINS ALL THE NEWS ALL THE TIME

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DONALD M. MERSEUR : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Thursday, Oct. 3)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	8 1/4	8 1/4	8 1/4	—
Col. Pict. vtc. (2 1/2%)	4 5/8	4 5/8	4 5/8	— 3/8
Columbia Pict. pfd.	20 3/4	20 3/4	20 3/4	+ 1/4
Con. Fm. Ind.				
Con. Fm. Ind. pfd.				
East. Kodak	135	134 1/4	135	—
do pfd.				
Gen. Th. Eq.	11 1/8	11	11	+ 1/4
Loew's, Inc.	25 7/8	25 3/4	25 7/8	+ 3/8
do pfd.				
Paramount	7 3/8	7 1/8	7 1/4	— 1/8
Paramount 1st pfd.	85	85	85	—
Paramount 2nd pfd.	9 1/4	9 1/4	9 1/4	—
Pathe Film	10 1/8	9 3/4	9 7/8	— 1/8
RKO	2 1/2	2 1/8	2 1/4	+ 1/8
RKO \$6 pfd.	34	34	34	—
20th Century-Fox	5 7/8	5 7/8	5 7/8	— 1/4
20th Century-Fox pfd.				
Univ. Pict. pfd.				
Warner Bros.	2 1/2	2 3/8	2 3/4	— 1/8
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4	103 3/4	103 1/2	103 1/2	+ 1/8
Loew's deb. 3 1/2 1/4	48 1/2	48 1/2	48 1/2	+ 1/2
Para. B'way 3 1/2	91 1/4	91 1/4	91 1/4	—
Para. Pict. 6 1/2	84 1/2	84 1/2	84 1/2	+ 1/4
Para. Pict. cv. 3 1/4 1/4	84 1/2	84 1/2	84 1/2	+ 1/4
Warner Bros. d'bs. 6 1/4	84 1/2	84 1/2	84 1/2	+ 1/4

NEW YORK CURB MARKET

Monogram Pict.				
Sonotone Corp.				
Technicolor	9 1/2	9 1/2	9 1/2	—
Trans. Lux	1 1/2	1 1/2	1 1/2	+ 1/8
Universal Corp. vtc.	3 1/2	3 1/2	3 1/2	+ 3/8
Universal Pict.				

New Pact for Eddie Albert

West Coast Bureau of THE FILM DAILY

Hollywood — Warner Bros. has given Eddie Albert a new, long-term contract with a raise in salary. Following "Carnival," in which he is to appear with Sylvia Sydney, Warners contemplate presenting him in three pictures with Priscilla Lane—"Weak Link," "Stuff of Heroes" and an original, as yet untitled, by Robert Kemp.

Kodak Co. Draftees to Get Job Back, Bonus and Divvy

Rochester, N. Y.—Eastman Kodak yesterday promised all employees called to duty as National Guardsmen or by the draft that their regular share in any wage dividend payable in 1941 and bonus of four weeks' pay when they leave.

Company also promised "every possible effort to reinstate in active employment on same or comparable jobs all employees called for military service upon their prompt application for re-employment after military duty."

Absence in the military service, the Kodak Co. said, will not constitute a break in service and time so spent will be counted in determining eligibility for benefit plans such as wage dividend, sick allowance and vacation. Group insurance annuities, group life insurance, total or permanent disability benefit continues in force for 14 months while the employee absent with the company paying the workers' share of the cost.

Schenck Cruiser Wrecked As It Hits Submerged Log

Nicholas M. Schenck's 38-foot cruiser, Martha, struck a submerged log yesterday while bringing the Loew president from his Great Neck home to the River House dock at East 52d Street. The boat started to sink but Schenck and his captain, Charles Burd, remained on board until taken off by a tugboat. A police launch towed the cruiser to a nearby beach. A large gash was torn in the bottom of the boat.

RKO's Holland Manager Coming for Conferences

Max Westebbe, RKO's manager in Holland, is en route to New York for home office conferences. Westebbe sailed from Lisbon Wednesday on the Exambion. Date of arrival here is not known.

For two months after the German occupation of Holland, Westebbe had been reported missing.

"Blood and Sand" for Power

West Coast Bureau of THE FILM DAILY

Hollywood — Twentieth Century-Fox has bought from Paramount screen rights to Vicente Blasco Ibanez's novel, "Blood and Sand," which was one of Rudolph Valentino's big successes, as a vehicle for Tyrone Power. Studio is reported to have paid Paramount \$100,000 for rights to the novel.

Great States Books Legit.

Chicago — Great States Theater circuit is expanding the use of "flesh" over the circuit. Latest booking is Gertrude Lawrence in "Skylark" for Coronado Theater, Rockford. Other key points will receive similar bookings from time to time as they are available.

'Knew What They Wanted' Opens Oct. 8 in 'Frisco

West Coast Bureau of THE FILM DAILY

Hollywood — "They Knew What They Wanted," co-starring Carole Lombard and Charles Laughton, and one of RKO Radio's top-notch productions of the new season, will have its world premiere at the Golden Gate Theater, San Francisco, on Tuesday. The regular run will follow on Wednesday.

Charles Laughton, other stars and players, a large delegation of RKO Radio studio officials, Hollywood correspondents and members of the press from many Western cities will attend the premiere.

"Bagdad" Opens Oct. 14 Under Auspices of F. D. R.

Alexander Korda's "The Thief Of Bagdad" will have its world premiere on Oct. 14 before the children of the Warm Springs Foundation in Warm Springs, Ga., and under the auspices of President Roosevelt. Sabu and June Duprez, who have two of the top roles in the picture, will appear personally at the premiere.

After the Warm Springs premiere, the picture will be released on a road show basis.

Grainger Sets Republic Product with Interstate

Dallas—Republic has closed a deal for its 1940-41 product with Interstate.

J. R. Grainger, president of Republic Pictures, Wm. Underwood and Claude Ezell, Texas franchise holders, and Lloyd Rust, Dallas branch manager, represented Republic in this deal, while R. J. O'Donnell represented Interstate.

"Hy" Fine, Joining Lynch. To Be Feted in Boston

Boston—Friends will tender "Hy" Fine, Boston district manager of M & P theaters for the past five years, a farewell dinner at the Parker House Hotel, Monday night. Fine departs Tuesday to become general manager of Lynch Paramount circuit, Miami.

Quorum Lacking, Atlas Meeting Is Adjourned

Wilmington, Del.—Meeting of Atlas Corp. stockholders adjourned here yesterday sine die because a quorum was lacking.

Blame Thief for Blaze

Montreal — Damage estimated at \$15,000 was caused by a fire which destroyed the projection room of the Palace Theater at Granby. Blaze is believed to have been set by a thief who concealed himself in the building during a show and attempted unsuccessfully to rob the office, but was foiled by the day's receipts having been removed.

COMING and GOING

SIDNEY R. KENT is scheduled to leave for the Coast today.

EDWARD A. GOLDEN departs for Hollywood today.

BEN W. ROSCOE, Jr., of Republic's Coast staff, is at the Warwick.

MAX WESTEBBE, RKO's manager in Holland, is en route to the U. S.

JACK OAKIE arrives here from the Coast shortly.

TAMARA has arrived here from Hollywood.

JOHN LEROY JOHNSTON, of Walter Wanger Productions, is at the Warwick.

RICHARD GAINES has left for the Coast.

LUCY FLACK, operator of the Capitol, Milford, Conn., is vacationing in Atlantic City and Lakewood.

Ill. Exhibs. Will Discuss Small Town Union Problem

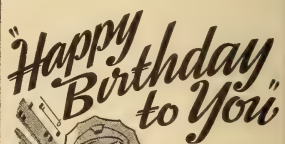
Mount Vernon, Ill.—Problem presented to the small town exhibitor through the unionization of projectionists will be among the subjects discussed by Southern Illinois exhibs. affiliated with the United Theater Owners of Illinois at a meeting here next Thursday.

Parley is expected to attract more than 50 theater operators, according to William F. Crouch, executive secretary. Prexy Edward G. Zorn of the new state-wide organization will preside.

Agenda calls for discussion of the proposed consent decree in the New York equity suit, which the UTO is opposing; tax legislation, free movies and film star participation in radio.

Fifth Direct Mail Award Presented to RKO Radio

For the fifth consecutive year, RKO Radio has received a certificate of merit from the Direct Mail Advertising Association. The certificate was presented to Leon Bamberger, sales promotion manager of RKO, as one of the 50 direct mail leaders of the year. Award was made at the DMMMA convention in Atlantic City Wednesday night.



From THE FILM DAILY to:
Buster Keaton
B. F. Zeidman
Carroll Nye
Marcel Silver

OCTOBER 5
David L. Loew
Arthur M. Loew
George Irving
James Bradbury, Jr.
Louise Dresser
Kathryn Crawford

OCTOBER 6
Owen Davis, Jr.
Alice Knowland
Janet Gaylor
Carole Lombard

NBC Tele Assured For Washington, D. C.

(Continued from Page 1)

facilities are developed, to eventually cover Washington events of national importance for country-wide transmission.

Technical details still to be worked out will delay actual operation of the Washington tele station for about 8 months, it was said. The FCC recently granted the NBC a license for the station.

"We hope also to make Washington the originating point of a television service that will link the National Capital with Philadelphia and New York City. An automatic relay developed by RCA promises to provide a satisfactory means for interconnection. When such relays are established, we will be able to experiment with the problems of television program syndication. Then it will be possible for televisioners in Washington, Philadelphia and New York to see events from any of the three cities," Trammell said yesterday.

Alfred H. Morton, NBC vice-president in charge of television, said that the Wardman Park Hotel site, overlooking Rock Creek Park, was chosen only after an extensive field survey. The major barrier to finding a suitable location, he added, was the existence of Cathedral Ridge, beyond which lie Wesley Heights and Spring Valley. The contemplated antenna tower, which will rise a sufficient height above ground, should be amply high to enable television's ultra-short waves to reach all receivers in the Washington area, Morton said.

NBC's plans call for the installation of a 1,000-watt television station at the hotel location. Two transmitters will be included. One will broadcast the television image, another unit will transmit the associated sound. The main television studio is to be the present 500 seat Wardman Park Theater, which has a stage approximately 30 feet by 50 feet in size. A film scanning studio will also be built at the Hotel location, it was said.

Chief reliance on live program material here will be placed on Governmental activities, with a mobile television unit to pick up events of interest outside the studio.

WEDDING BELLS

Richmond, Va.—Georgie Farthing, secretary to David Kamsky, adv. mgr., Neighborhood Theaters, will be married to Frank Koehler of Roanoke here Saturday.

Richmond, Va.—Dorothy Shewbirdge, secretary to Sam Bendheim, Jr., general manager of Neighborhood Theaters, will marry Alton Smith at Monument Methodist Church on Oct. 11.



● ● ● IT would have been different.....IF.....and that's a big little word!.....We mean that swell stunt.....which was all set up.....by the Para. publicity boys.....to aid in nationally spotlighting.....the company's fascinating feature....."I Want a Divorce".....News and photographic channels were prepared to do their stuff.....and there would have accrued therefrom.....a veritable landslide of agate lines.....in the press the country o'er.....The idea was this:.....A certain city's Court.....was to have been supremely "packed".....via the presence of several prominent married couples.....who would take the witness-stand to testify.....how they had avoided marital pitfalls.....Also on hand was to have been a Judge.....occupying the bench.....together with lawyers to cross-examine.....the married couples.....

● ● ● SPECTATORS in the symbolic divorce court.....were to have included about a score of young betrothed couples.....who might benefit from the married folks' testimony.....As part of the scheme....."I Want a Divorce".....whose drama and message were heavily endorsed by one of America's great poly-sectarian bodies.....was to have been shown on the spot.....Well, IF it hadn't been for the Judge.....all would have been well.....but, we are told on excellent authority, that.....the conscientious gentleman didn't think he should be a party.....(he is known in the community as an exponent.....of hasty marriages).....Quick, Watson, the needle!.....

● ● ● ON the face of the great Gaspe Peninsula.....is the village of climatic interest to the traveler.....Perce.....The tiny hamlet has a movie show.....which operates only in the summer months.....The exhib. is a prominent New England artist.....who, while the performance is on.....provides an impromptu auxiliary sound track by lecturing.....The "natives" of Perce are conspicuous by their absence.....because the same program is offered throughout the season.....and, once having seen it, they don't encore.....But the movie stand does a big biz playing to tourists.....who pack the ork section.....whose seating is by means of wooden chairs.....There's a sort balcony.....consisting of bleacher stands.....Films are anent the glories of the Gaspe.....and the customers can exit and see the real thing.....right outside and beyond the theater.....But.....folks must have their movies!.....

● ● ● STUFF:.....It's worth a visit to Broadway's Embassy Newsreel Theater.....to lamp all the different kinds of campaign buttons.....on display in the lobby . . . ● Donat Blaine who operates the Jodoin, Baltic, Conn., is a painting contractor . . . ● Frank Mann of the Princess, Rockville, Conn., sells plumbing supplies and plumbs all day . . . ● Don Albert, musical director of WHN, and Sid Piermont, vaude booker for Loew's, have taken over their duties as musical director and stage manager, respectively, for the forthcoming "Night of Stars" . . . ● RKO Radio's Exhibitors Lounge is rapidly winning the designation: "Honey-moon Lane".....for recent visitors have been the W. Perspers of the Ritz and Variety theaters, Minneapolis.....the H. R. Simons of the Palace, Antego, Wis.....the Eugene Lutes, Capitol, Frankfort, Ky.....and the N. Fleishmans of the Brighton, Pittsburgh . . . ● Tuesday night's world premiere of Walter Wanger's "The Long Voyage Home" 'tis promised, will find the Rivoli with an even more brilliant audience than for his "Foreign Correspondent" . . . ● On the previous night, the Art Theater at 36 East Eighth St., will open with the New York premiere of "Whirlpool".....which is the French film "Remous" with English titles.....

DATE BOOK

- Oct. 7-9: Michigan Allied convention, Jackson.
- Oct. 13-14: MPTO of Arkansas, Mississippi and Tennessee, convention, Hotel Gayoso, Memphis.
- Oct. 14: Dallas Variety Club golf tournament, Dallas Country Club.
- Oct. 20: Pittsburgh Variety Club banquet, William Penn Hotel.
- Oct. 21-22: AMPTO of Western Pennsylvania convention, Hotel Roosevelt, Pittsburgh.
- Oct. 21-25: SNEE Fall convention, Roosevelt Hotel, Hollywood.
- Oct. 24: Fall Conference dinner of the Picture Pioneers.
- Oct. 26: Cinema Lodge, B'nai B'rith, banquet, Hotel Pennsylvania.
- Oct. 30-31: ITO of Ohio convention, the Deshler-Wallick Hotel, Columbus.
- Nov. 1: A F of L convention opens, New Orleans.
- Nov. 11: Canadian Picture Pioneers convention Toronto.
- Nov. 11-12: ATOI convention, Hotel Antlers, Indianapolis.
- Nov. 16: Washington Variety Club dinner, Willard Hotel.
- Nov. 21: Motion Picture Associates ball, Hotel Astor.

Tareyton Will Build Coral Gables Studio

(Continued from Page 1)

Tuesday, Tareyton said that two producers had signed to produce pictures at the new studio. E. B. Derr, he said, had agreed to make one picture, "The Shark Man," for Monogram release. Halperin Bros. plan to produce a series of six pictures at the proposed plant, Tareyton said. Ten acres of ground has been purchased for the new enterprise. In addition to leasing studio space, Tareyton said a financing company would be formed to finance producers who would use the studio.

Colonnade Pictures Corp., of Miami, recently organized to lease space at its studio, is being reorganized. Arthur Sawyer has resigned as president although it is reported that he has a 60-day option to buy the property for \$45,000. Ed O'Toole, who died Wednesday, was slated to have been president. Colonnade studio is now closed.

Godfrey Bergmann Will Manage Curacao House

Godfrey Bergmann has been named manager of the new 1,200-seat theater in Curacao, Dutch West Indies. House is owned by Mensing & Co. and will be operated by the Curacao Trading Co. It will open in mid-November. Bergmann sails Nov. 8.

STORKS!

Indianapolis—Don McLeod, M-G-M head booker is the father of a six-pound baby boy, born at St. Vincent's Hospital.

Allas, RCA Increase RKO Stock Holdings

(Continued from Page 1)

creditor and now holds 317,256 shares. Under warrants for common Atlas holds 327,812 warrants and RCA holds 555,254 warrants. Atlas also acquired 1,400 shares of 6 per cent convertible preferred, now holding 32,081 in that class, while RCA holds 44,757 shares.

Both Atlas and RCA hold their interests as beneficial owners.

Cowdin, Prutzman Acquire Additional "U" Securities

Washington Bureau of THE FILM DAILY

Washington—Semi-monthly SEC summary of security transactions and holdings, issued today, reveals that J. Cheever Cowdin has acquired 350 common voting trust certificates of Universal Corp. and now holds 4,850 certificates and 26,500 through Standard Capital Co. Charles D. Prutzman added 330 certificates to his holdings, bringing the total to 4,730. Under common voting trust certificate warrants, Cowdin reported no holdings directly but held 111,283 through Standard Capital while Prutzman held 3,000.

A June, 1940, corrected report for Samuel I. Posen filed under Universal Pictures Co. reveals he acquired 100 shares of \$1 par common representing his entire holdings in that class and also holds 50 shares of 8 per cent cumulative 1st preferred.

Loew's, Inc., continued its acquisition of stock of Loew's Boston Theaters by adding 38 shares of \$25 par common to bring their total holding in the subsidiary company to 117,474 shares.

Abrams Resigns As "U" Shorts Sales Manager

(Continued from Page 1)

new affiliation in the industry. Prior to his becoming short subject sales head a year and a half ago, Abrams was manager of the New York exchange. He formerly was branch manager in New Haven, St. Louis and Kansas City.

15-Watt Public Address System Offered by RCA

Commercial Division of RCA Manufacturing Co. has announced a new 15-watt public address system for audiences up to 2,000. The newly designed portable unit designated as Type PG-180 replaces a 12-watt system, but is priced 15 per cent lower.

Basic unit is the RCA amplifier MI-12202; two 10 1/4-inch permanent field speakers are included, and the mike is an RCA Junior Velocity type on a table stand. Unit packs into a case 21 inches high by 17 inches wide and 11 inches deep, and weighs 43 pounds.

"Continued Irregularity" in Film Interim Earnings During 1940-41 Seen by F & B

Fenner & Beane Industries Service sees "continued irregularity" in film company interim earnings reports during the new producing season although it is added "some success appears to have attended efforts to check the rising trend of production costs."

As to the exhibition outlook, the Service reports: "Domestic theater attendance should respond further to gains in industrial employment, although the recent amusement tax increase minimizes possibilities of raising admission prices. On this basis, companies with extensive representation in the exhibiting division may continue to make the more substantial showings."

"Rockne" Premiere Draws Thousands to South Bend John Maxwell, British Film Leader, is Dead

(Continued from Page 1)

served Rockne Memorial Week, tens of thousands of visitors last night virtually had taken over this home of Notre Dame.

The Western and Eastern contingents, the former headed by Charles Einfeld and the latter by Mort Blumentstock, were joined in Chicago for the trip to this city. At Chicago, the presence of Hollywood stars, execs, and notables brought more than 5,000 to the station.

But the reception in Chicago was just a hint of what was to come here where a crowd estimated at 100,000 was waiting. Mayor Jesse I. Pavey, who had declared a city holiday, welcomed the Warner visitors. Bob Hope introduced the visitors, presenting, among others:

Postmaster General Frank C. Walker, Franklin D. Roosevelt, Jr., Rudy Vallee, Pat O'Brien, Donald Crisp, Lucille Fairbanks, Peggy Diggins, Rosemary Lane, Ronald Reagan, Jane Wyman, Florence Rice, Irene Rich, Charles Ruggles, Elizabeth Whitney, Gale Page, Anita Louise and Owen Davis, Jr.

At 6:30 p.m. the Vox Pop program was broadcast over the CBS network from the lobby of the Oliver Hotel, where the visitors are stopping.

At 7:30, stars, guests and officials attended a banquet in Notre Dame dining hall with proceedings broadcast over the Mutual's 148 stations. Special pipe lines took the broadcast to 45 Notre Dame alumni dinners held simultaneously in cities over the nation in commemoration of Rockne Week. Heard over this broadcast were Postmaster General Walker, Father Hugh O'Connell and Kate Smith. Mrs. Bonnie Skiles Rockne was presented with first print of the "Rockne" film by Franklin D. Roosevelt, Jr., who read greetings from the President to Mrs. Rockne.

Climax of Rockne Week takes place tonight with the world premiere in 4 local theaters, with p.a.'s of stars preceding each showing.

Astor Sels Minn. Amusement

Astor Pictures has closed a booking deal with the Minnesota Amusement Co., Minneapolis, for the double program of "Sky Devils" (streamlined) and "Scarface" for its entire circuit.

Loew-Poli Dance Nov. 20

New Haven—Annual formal dinner-dance given by Loew-Poli ushers has been set for Nov. 20 at Seven Gables Inn.

(Continued from Page 1)

Films, Ltd., indie distributor, which he brought to prominence as board chairman.

His next move was into production, with British International Pictures, Ltd., resulting. Later was joined with Wardour and Associated British Cinema Circuit into a dominant producer-renter-exhibitor group.

Associated British Picture Corp. also controls British Instructional Films, Ltd., and Pathe Pictures, Ltd., latter being Monogram's outlet in the U. K.

ITPA of Wis. Re-elects Ainsworth as Prexy

(Continued from Page 1)

sion at the Hotel Schroeder here yesterday. Others named are A. C. Gutenberg, Milwaukee, vice-president; August Berkholtz, Bend, treasurer, and Harry Perlewitz, Milwaukee, business manager.

Directors, in addition to the officers, include F. J. McWilliams, Madison; Mrs. Frank Eckhardt, Wisconsin Rapids; Ben Marcus, Ripon; Bert Nathan, Milwaukee; Mark Morgan, Cedarburg; John Adler, Marshfield; William Smith, Menominee and George Langheinrich, Milwaukee.

Sidney Samuelson, business manager of Allied Theaters of Eastern Pennsylvania, discussed AID after which there followed an open forum on 16 mm. film and free movies and the pass evil. No resolutions were adopted as a result of the discussion. The annual banquet in the evening concluded the convention, which was attended by some 125 exhibitors.

Baltimore Court Halts New Theater Project

Baltimore—Judge Rowland K. Adams of the City Court has reversed a decision of the Zoning Board granting permission for the erection of a new theater in the Park Heights section of this city. The Buildings Engineer had denied a permit for the project.

An ordinance authorizing the Park Heights Amusement Company to construct the theater had been passed by the City Council early in the Summer, but it specified that the construction be under the supervision of the Buildings Bureau and in accord with existing building laws.

Opposition to the theater project included a nearby church and local merchants.

Sel \$200,000 Ceiling In Dramatists' Pact

(Continued from Page 1)

said to be covered by a percentage of the profits arrangement. Final touches on the agreement—which amends that now in existence—are expected to be made today.

Further provisions of the agreement cover signing of stars by film companies during the run of the play, but their withdrawal before the play's close is prohibited. Formula for closing a play that is losing money is said to be covered by a clause which stipulates that if a play fails to gross 50 per cent of its operating expenses the first week, 75 per cent the second week, and 100 per cent the third week and after the play can be closed.

Film companies are also said to have the right to exercise an option to withdraw after first two weeks of a Broadway run, paying \$7,500 to the author. In the event of withdrawal, the author and manager have the right to continue the play and sell the screen rights to the highest bidder.

Money advances to the author by film companies are also covered, with the manager also protected. At the end of 21 months the film company may ask that a release date for the picture be set by the end of the 24th month, but if the author refuses the film company's money is refunded in full and the play can be sold in the open market.

Extent of management in the play by a film company backing the venture has not been finally ironed out, it was said.

Select Attractions Will Release 8 Hirliman Pix

(Continued from Page 1)

eight features for Select, with releases at six-week intervals, it is stated. "Adolescence," which has Leon Janney, Eleanor Hunt and Esther Muir featured, will go out Nov. 1.

A Second Hirliman pix for Select will be "The Lady or the Tiger."

Knopf A Metro Producer

West Coast Bureau of THE FILM DAILY

Hollywood—Edwin Knopf, until recently head of Samuel Goldwyn's story department, is returning to M-G-M as a producer. During his former association with Metro, he was head of the story department.

PRC Signs Geo. Houston for 6

West Coast Bureau of THE FILM DAILY

Hollywood—Producers Releasing Corp. has signed George Houston to star in six "Lone Rider" musical Westerns.

New House for Toledo?

Toledo, O.—A project to include an 1,800-seat theater, bowling alley and a super market is rumored to be built here by Cleveland interests.



"ME MARRY YOU?..
YOU WHO MADE ME SO
THAT I'M NOT FIT TO LOVE
THE ONLY DECENT MAN
I EVER MET?.. NEVER!"

*they say what they think,
in "They Knew What They Wanted"*



CAROLE **CHARLES**
LOMBARD ★ **LAUGHTON**

"They Knew What They Wanted"

Directed by Garson Kanin

With WILLIAM GARGAN • HARRY CAREY • FRANK FAY

Daring!
Exciting!
Sensational!

Super box-office all the way, in one of the finest dramas ever to come out of Hollywood! . . . Inspired performances, great story, superb direction, magnificent production—IT'S THIS YEAR'S OUTSTANDING PICTURE!



Harry E. Edington, Executive Producer

Produced by Erich Pommer

Screen Play by Robert Ardrey
From the Pulitzer Prize Play by Sidney Howard

ANNA NEAGLE SHOOTING LAST SCENES FOR "NO, NO, NANETTE"



Anna Neagle, in Herbert Wilcox's production of that record-holding musical comedy success, "No, No, Nanette," is now being scored and readied for editing . . . to take its place beside those other big ones from RKO RADIO, like — George Abbott's sensational Broadway musical hit, "Too Many Girls" — Kay Kyser and his band in "You'll Find Out" — Ginger Rogers in "Kitty Foyle" — Orson Welles in "Citizen Kane."

General Price Boost Meets Exhibitor Opposition

Theater Men Split on Admission Increases for Specific Quality Product

(Continued from Page 1)

there are many who agree with Joseph Bernhard, head of Warner Bros. theaters, who, while opposing increases for specific pictures, said that prices should be advanced in territories that could stand an increase, a policy the Warner circuit has been pursuing for more than a year.

Dispatches from the field follow:

Lightman Believes General Price Increase Impractical

Memphis—M. A. Lightman, former MPTOA prexy, now operator of three downtown and six suburban theaters here and 61 other theaters in four nearby states, said he does not favor a general increase in admission prices.

"To begin with," Lightman said, "I do not believe a general agreement would work out satisfactorily. Communities differ and admission prices must differ, too.

"Pictures are like all other commodities. Some pictures are good, some are bad. Some are expensive, some are cheap. I believe the admission prices should be fixed accordingly.

"I can see where a de luxe theater, playing all good pictures, might profit by flat and permanent advance in admission. But a theater, playing to a variety of tastes, and using several types of pictures, will not find that plan a good one."

White Favors Bernhard Plan; Huss Doubtful for Suburbans

Cincinnati—Maurice White, president of United Theater and associate of Ike Libson, controller of all major Cincinnati theaters, heartily favors a general increase in admissions, in line with the policy as advanced by Joseph Bernhard, of Warners.

"A concerted action is all that is necessary," White declared.

Wess Huss, president of Associated Theaters, all suburban houses, believes it will be impossible to raise prices in local suburban areas. "Suburban prices in Cincinnati are already at their peak," he stated. "Theaters are getting 28 and 33 cents admission now, which is a good suburban rate."

Also, Huss commented, some theaters which had raised the price from 25 to 28 cents to meet the last tax, have had to reduce their price to 25 cents and absorb the tax to nurse business.

Milwaukee's Exhib. Leaders See Small Chance for Raise

Milwaukee—Exhibitor leaders here are inclined to look with approval on Joseph Bernhard's statement relative to admission prices and gener-

Cole, Allied's Prexy, Against "Juggling," But Disagrees That Prices Are Too Low

Dallas—Col. H. A. Cole, president of Allied, discussing the price increase suggestions, told THE FILM DAILY:

"I agree with Joseph Bernhard that the public resents a variable price policy. However, I disagree with him in the conclusion that prices in general are too low.

"If we have been making money at the present prices, it is profiteering to increase them. If we have not been making money, it is suicidal to increase them."

ally favor a general admission increase rather than "hikes" for specific films.

However, few believe that a general raise in prices can be successfully accomplished at this time in this territory. They base this belief on the "hike" necessitated a few months back by the Federal defense tax and the reluctance or inability of movie fans to pay more money for their film entertainment.

Any "Hike" in Gulf States Tied to Economic Situation

New Orleans—Straight price raises are impractical at present in the Gulf States area, survey of the area revealed.

The check-up at the same time showed that exhibitors are against special raises for so-called super attractions on the ground that it has a tendency to disrupt business.

The circuits in this area apparently would like to put through a raise but are held back by economic conditions and are waiting to see if the money spent for national defense will be spread back into this area so as to give additional spending money to audiences.

"The situation is purely an economic one," Norman L. Carter, acting general manager of the Paramount-Richards circuit, declared. "In some instances like Mississippi, where we get 40 cents top for better product, there is a 4-cent national defense tax and a 4-cent state tax. That's almost 50 cents right there."

Carter is against raises for specials.

"It's true we're in a different business every time we change a picture," he said. "But we're in a different business only insofar as the advertising is concerned. We have an audience coming to the same theater, the same air conditioning and other conveniences. To change prices for a run has the effect of throwing the routine comers out of gear."

Price "Juggling" in Smaller Towns Bad Practice—Wolcott

Eldora, Ia.—Speaking for the small town operator, Leo Wolcott, president of the Allied Theater Owners of Iowa and Nebraska, declared "juggling" of admission prices is bad business practice as far as they are concerned.

"From years of experience," Wolcott stated, "our patrons resent ad-

vanced admission prices even on the occasional highly advertised feature. They feel they patronize us regularly and they are entitled to the occasional outstanding picture at the same price."

Wolcott continued: "We find with few exceptions the outstanding, highly advertised feature does extra business at the box-office. We also find advanced admission prices, even occasionally, result in a definite loss of volume."

Indianapolis Exhibs. Oppose Price Jump at Present Time

Indianapolis—Indianapolis exhibitors, according to a survey by the ATOI, are not in favor of increasing admission prices at this time. The method of raising admission prices on outstanding product has little adverse effect on the theater patrons. In fact, it is quite the opposite. Pictures advertised at higher prices as a rule do a better b.o. business than those at regular admission prices.

Circuit operators as well as indie operators are not in favor of any boost in prices. The recent survey indicated that all but one local exhibitor were against the price boost, despite the fact that cost of operation has increased and expenses in general have gone up.

Neighborhood exhibs here complain of radio competition, double features are another thorn in the exhibs' side, patrons complain of long shows, in fact, too long for comfort, so with all kinds of complaints, and the city already well over-seated there is no chance for boosting admission prices here.

Minneapolis Exhibs. Split On a Variable Price Policy

Minneapolis—This city seems to be pretty well divided on the question whether there should be price boosts on outstanding pictures.

Ben Berger, head of Berger Amusement Co., states that prices should be boosted for the better individual pictures. He contends that the public will pay for the better pictures and this will eventually lead to the production of better pictures.

Fred Strom, executive secretary of Northwest Allied, says "The majority of the exhibitors oppose a variable price policy believing that it will be abused. A few pictures like 'Boom Town' and 'GWTW' are outstanding and do warrant a raise

Decree Conference Off Until Tuesday

(Continued from Page 1)

terday to defer the meeting until Tuesday.

Counsel for the five majors who are agreeable to the decree and probably top execs. of the companies will come here for the conference. Arnold and an array of aides will represent the Government.

English Sectional Biz Holds Up Despite Raids

(Continued from Page 1)

menaced areas are boosting theater business in less dangerous sections and in some instances, Kelly said, grosses have been equal to those of last year and in others business has been even better.

Sheltered and bomb proof theaters are being erected in or close to factories and munition plants so that workers will not have to go outside the grounds for their entertainment.

D. C. Operators to Be Limited to 8-Hour Day

Washington Bureau of THE FILM DAILY

Washington—Penalties for operators working more than eight hours in any one day are provided for in the revised operator regulations expected to be approved at the next Board of Commissioners meeting. License fee has been set at \$10 a year in the new draft. Original draft would have required a fee of \$15 for the first year's license and \$10 for subsequent years.

Regulations were approved by the District's Regulations Committee at an open hearing attended by A. Julian Brylawski, chairman of the MPTO and Emil Holz, operators' local business agent. If approved, they will go into effect Nov. 1.

Walker Adds Two Theaters

Halifax, N. S.—M. E. Walker has leased houses in New Germany and Barrington. He has operated the Gaiety here and the Imperial, Sackville.

in prices, but there should be very few of these AA pictures."

These comments are typical of the two schools of exhibitor thought here.

Essaness Prexy Favors Price Jump for Exceptional Films

Chicago—Emil Stern, Essaness circuit prexy, told THE FILM DAILY that the circuit is in favor of higher admission charges for exceptional films, but says they should be single-featured so the program could be rounded out with shorts and news-reels.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Too Many Girls"

with Lucille Ball, Richard Carlson, Ann Miller, Eddie Bracken, Frances Langford
RKO Radio 85 Mins.

EXCELLENT ROMANTIC MUSICAL COMEDY THAT RANKS AMONG THE BEST IN THIS PRODUCTION BRACKET.

One of the brightest leaves this Autumn in showmen's date books should be reserved for this swiftly-paced screen version of George Abbott's legit musical hit. The broader fields of filmland have given to this vehicle a sweep and scope impossible of achievement in the realm of the foot-lights. Hence it emerges, under Abbott's own production and direction, as a surefire attraction.

A light and lilting football picture, which is as exciting and energizing as any nip-and-tuck grid fray, audiences will find it seething with fun-poking, crisp dialogue; love interest galore; spectacular dancing; and a pack of slick songs, to which the score composers, Rodgers and Hart, have added a new melody, "You're Nearer." Retained from the stage show itself are "Heroes in the Fall," "We Got Cake," "Shake the Maracas," "Spic and Spanish," "Love Never Went to College," "I Didn't Know What Time It Was," "Look Out" and "Conga." These are presented by the various cast principals cleverly and effectively.

The yarn concerns a wealthy and comely girl (Lucille Ball) whose father (Harry Shannon) has a tough time keeping her escapades out of newspaper headlines. Infatuated with a novelist, she decides to attend a small and obscure college from which her father graduated in the Southwest. Her reason for matriculating is simply that her newest heart-throb has a ranch nearby. To give her paternal protection from afar, dad hires a flock of football luminaries to look after her,—but prohibits romance.

The bodyguard-students comprise Eddie Bracken, Hal LeRoy, Desi Arnaz and Richard Carlson,—the last of whom succeeds in winning her heart and hand. During the process there are some big production numbers, smart situations, and roaring grid battles in which the quartette of bodyguards raise the little college to national pigskin prominence.

This is a picture of tremendously wide appeal and with all the essentials which add up to first-rate entertainment. It's not college, but it's swell.

CAST: Lucille Ball, Richard Carlson, Ann Miller, Eddie Bracken, Frances Langford, Desi Arnaz, Hal LeRoy, Libby Bennett, Harry Shannon, Douglas Walton, Chester Clute, Tiny Person, Ivy Scott, Byron Shores.

CREDITS: Executive Producer, Harry Edgerton; Produced and Directed by George Abbott; Screenplay, John Twist; Based on the Musical Play, "Too Many Girls"; Book by George Marion, Jr.; Music by Richard Rodgers; Lyrics, Lorenz Hart; Director of Photography, Frank Redman; Special Effects, Vernon L. Walker; Art Director, Van Nest Polglase; Associate, Carroll Clark; Wardrobe by Edward Stevenson; Recording Director, Earl A. Wolcott; Film Editor, William Hamilton; Assistant Director, Dewey Starkey.

DIRECTION, Skillful. PHOTOGRAPHY, Tip-Top.

"Down Argentine Way"

with Don Ameche, Betty Grable, Carmen Miranda, Charlotte Greenwood
20th-Fox 94 Mins.

(HOLLYWOOD PREVIEW)

GILT-EDGED ENTERTAINMENT THAT CAN BE SOLD TO HEAVY RETURNS IN ANY TYPE THEATER.

Gay, colorful, exciting and tuneful, this musical comedy is gilt-edged entertainment that can be sold to heavy returns in any type theater. It is loaded with applause-provoking singing and dancing. In fact, it easily ranks way up front in the long parade of musical comedies the screen has known. It is in Technicolor, and is a feast for the eye and ear.

Director Irving Cummings has effectively blended the comedy, romance, songs and dances. To Harry Joe Brown goes important credit as associate producer. Darrell Ware and Karl Tunberg fashioned a splendid screenplay, based on an original by Brian James and Ralph Spence. Mack Gordon and Harry Warren concocted four songs with "Two Dreams Met" as the best of the quartet.

The cast is the answer to a casting director's dream. There is Don Ameche, so very effective in the romantic role; the shapely Betty Grable making a triumphant return to the screen as the love interest opposite Ameche; the dynamic, vivacious, Carmen Miranda delivering songs in her own inimitable fashion. The ever-entertaining, elongated, Charlotte Greenwood, J. Carol Naish is splendid in a character role, while Leonid Kinskey and Charles Judels do much to aid the laugh score. Jerry Stephenson gives another of his reliable performances as Ameche's father. The dusky Nicholas Brothers with their dancing are really show-stoppers.

The locale of the story is an Argentine of Festas, song, dance and soft moonlight nights. Ameche makes a quick trip to New York to sell some of his father's horses. He is warned not to make a sale to Charlotte Greenwood, or her husband, or any members of her family. He falls in love with Betty Grable, but when he learns she is Charlotte's niece, he refuses to sell her a horse which she wanted to buy. He also returns hurriedly to Argentine. Betty follows, and of course, a reconciliation ensues. In the end Ameche's father, Stephenson, drops his feud with Charlotte and blesses the young lovers.

CAST: Don Ameche, Betty Grable, Carmen Miranda, Charlotte Greenwood, J. Carol Naish, Henry Stephenson, Katharine Aldridge, Leonid Kinskey, Chris-Pin Martin, Robert Conway, Gregory Gaye, Bobby Stone, Charles Judels, Nicholas Brothers, Thomas and Catherine Dowling, Six Hits and a Miss, Carmen Miranda Band, Edward Fielding, Edward Conrad, Fortunio Bonanova and Armando Kaliz, Frank Puglia.

CREDITS: Produced by Darryl F. Zanuck; Associate Producer, Harry Joe Brown; Director, Irving Cummings; Authors, Brian James, Ralph Spence; Screenplay, Darrell Ware, Karl Tunberg; Music and Lyrics by Mack Gordon and Harry Warren; Dances staged by Nicholas Castle and Geneva Sawyer; Cameramen, Leon Shamroy and Ray Rennahan; Technicolor Director, Natalia

"I Want A Divorce"

with Joan Blondell, Dick Powell
Paramount

LAUGH-PACKED COMEDY WITH FINE DRAMATIC PUNCH AND SOLID STORY; WILL SCORE WITH ALL FANS.

Producer George Arthur's initial contribution to the young 1940-41 season is a thoroughly entertaining and human vehicle which is certain to make turnstiles click merrily for all classes of houses and patrons. Strength of the attraction springs from the fact that it is a melding of superior drama and copious comedy purveyed by a strong cast operating under the aegis of Ralph Murphy's adept direction.

Not only has the footage power to spare in satisfying patrons, but it has the punch to bring 'em in. Ability to draw the fans is first of all in the title's magnetism, and secondly in the fact that the cast from top to bottom is catnip for the customers. Joan Blondell and Dick Powell play the leads, and excellently. He is the young lawyer, who, on the eve of his bar exams, proposes marriage to the blonde Blondell, whose sister, Gloria Dickson, has just divorced Conrad Nagel.

Although the tragedy of the latter's legal parting stands out before the newlyweds as a danger signal proclaiming the unhappy consequences of divorce, the young couple drift in time into a major marital storm which causes them to separate. The film's climax is their reconciliation, but only after the young wife's elder sister, despondent over the re-marriage of her former spouse to another woman, commits suicide.

Story by Adela Rogers St. Johns is packed with tense situations and very human moments reflecting her skill, and understanding as to what film entertainment should be. Frank Fay does a fine character job and should be seen more in the current celluloid scene.

Paramount has a hit in "I Want a Divorce" and theatermen's tills will prove it.

CAST: Joan Blondell, Dick Powell, Gloria Dickson, Frank Fay, Jessie Ralph, Harry Davenport, Conrad Nagel, Mickey Kuhn, Dorothy Burgess, Sidney Blackmer, Louise Beavers.

CREDITS: Producer, George Arthur; Director, Ralph Murphy; Author, Adela Rogers St. Johns; Screenplay, Frank Butler; Sound Mixer, Hugo Grenzbach; Film Editor, LeRoy Stone; Art Directors, Hans Dreier, Ernst Fegte; Director of Photography, Ted Tetzlaff.

DIRECTION, Excellent. PHOTOGRAPHY, Fine.

Lewellen, Huffman's Aide

Lincoln, Neb.—New assistant city manager's chair was created this week in the Lincoln Theaters Corp. (J. H. Cooper-Paramount circuit) here, and W. C. Lewellen, formerly of Pueblo, Colo., has been moved in to fill it. He works directly under City Manager R. W. "Bob" Huffman.

Kalmus; Associate, Morgan Padelford; Art Directors, Richard Day and Joseph G. Wright; Editor, Barbara McLean; Musical Director, Emil Newman.

DIRECTION, Effective. PHOTOGRAPHY, Very Good.

"Diamond Frontier"

with Victor McLaglen, John Loder, Anne Nagel
Universal 71 Mins.

MELLER WITH PLENTY OR HOKUM SHOULD BE OKAY AS NABE OFFERING.

Action fans in the nabe houses will probably get a sufficient amount of entertainment from this release to overlook a number of faults. Certainly, the producers threw in everything but the club franchise to try and make it exciting. There are stock shots a-plenty, and a story that almost completely transcends the bounds of normal credibility.

However, exhibitors have several angles to sell the picture. Victor McLaglen's name has a certain amount of marquee power, and diamonds, adventure and Africa are synonymous with excitement. McLaglen, John Loder and Anne Nagel head an agreeable cast that works hard to make its own characterizations plausible, and succeeds admirably. Philip Dorn, Cecil Kellaway, Ferris Taylor, Francis Ford and other able players support the principals. Harold Schuster was the director.

Loder returns to his home in South Africa with a medical degree and an urge to marry Miss Nagel, his sweetheart. However, McLaglen and his gang of cutthroats shortly turn law and order upside down when diamonds are discovered and Loder takes up the cudgel of law and order. He is framed, jailed, escapes and wreaks his vengeance. The details are exciting though implausible.

CAST: Victor McLaglen, John Loder, Anne Nagel, Philip Dorn, Cecil Kellaway, Francis Ford, J. A. Hughes, Ferris Taylor, Lionel Belmore, Hugh Sothorn, Sigfried Arno, Dewey Robinson.

CREDITS: Associate Producer, Marshall Grant; Director, Harold Schuster; Screenplay, E. L. Hartman and Stanley Rubin; Camera-man, Milton Krasner.

DIRECTION, Adequate. PHOTOGRAPHY, Good.

Mutual Theaters Sets Deals for Up-state Mich.

Detroit—Mutual Theaters, booking combine, has completed deals for all its upstate houses with all eight majors, as well as Monogram and Republic, manager Raymond E. Moon disclosed. In Detroit, Mutual has completed contracts with 20th-Fox, and has several deals already closed with Warners.

Neth's Managers Realigned

Columbus, O.—Because of the resignation of John McCormick, due to ill-health, as manager of Neth's State Theater, there has been a realignment of managers of the Neth nabe theaters. David Pence, now at the Cameo, moves to the Eastern. Darley Thompson goes from the Eastern to the Markham. Robert O. Glick, formerly at the Markham, succeeds McCormick at the State. Doyle Lucas, head usher at the Eastern, is promoted to manager of the Cameo.

REVIEWS OF NEW FILMS

REVIEWS OF SHORT SUBJECTS

"Before I Hang"

with Boris Karloff, Evelyn Keyes,
Bruce Bennett

Columbia 71 Mins.

CHILLER WITH A GOOD AMOUNT OF SUSPENSE SHOULD ENTERTAIN THE FELLERS.

Several murders, Karloff at his blood curdling best and a few other items are wrapped up in this Columbia release. Exhibs. should find the picture doing nicely as a program offering. Karloff can be exploited due to past roles and the nature of the picture also lends itself to exploitation. While the idea behind the story is far-fetched, the story itself has been well worked out on the screen.

Karloff expertly runs through his role. Evelyn Keyes and Bruce Bennett do all that could be expected in supporting roles, and such able players as Edward Van Sloan, Ben Taggart and Pedro de Cordoba give valuable support. Nick Grinde does a nice job of directing, building up his suspense and keeping the characterizations within limits.

Karloff, a noted doctor, is sentenced to death when a man who was in great pain by Karloff's hand as a means of ending his misery. However, he is experimenting with a serum that will prolong life, and Warden Ben Taggart allows him to continue his experiments in the prison with the prison doctor, Van Sloan. Just before he is to be executed Karloff is injected with his serum and blood from a dead murderer.

Then, dramatically, his sentence is changed to life imprisonment. However, the murderer's blood asserts itself and Karloff kills Van Sloan and a trusty. Thereafter, he is liberated. There were no witnesses to the killings and he is believed to be innocent. More murders follow until his career plausibly is brought to an end.

CAST: Boris Karloff, Evelyn Keyes, Bruce Bennett, Pedro de Cordoba, Edward Van Sloan, Ben Taggart, Wright Kramer, Bertram Marburgh, Don Beddoe, Robert Fiske, Kenneth MacDonald, Frank Richards.

CREDITS: Producer, Wallace MacDonald; Director, Nick Grinde; Screenplay, Robert D. Andrews; Story, Karl Brown and Robert D. Andrews; Cameraman, Benjamin Kline; Editor, Charles Nelson.

DIRECTION, Able. PHOTOGRAPHY, Good.

Meihe Heads B & K Ass'n

Chicago—Will Meihe, manager of the Tower theater of the B & K circuit was elected president of the Balaban & Katz Employees Association. Will H. Holden of the Home office was named first vice-president, Jimmy Savage, publicity director, second vice-president, and Joe Stout, short subjects buyer, third vice-president.

Harry Priest of the Main office was named treasurer and Joanne Abrams, secretary.

First Stage Show In 12 Years

Rochester—For the first time in more than 12 years, a stage show will play The Temple here when Blackstone's troupe opens a week's run Oct. 11. Show will supplement a screen bill.

"The Mummy's Hand"

with Dick Foran, Peggy Moran,
Wallace Ford

Universal 67 Mins.

MODERATELY EXCITING HAIR-RAISER WITH ENOUGH COMEDY AND MYSTERY TO SATISFY THE FANS.

Here is a mild dose of thrills based on an implausible theme but exciting in parts. It has to do with the search for the tomb of an Egyptian princess by a party headed by Dick Foran and Wally Ford. Instead of finding their complete goal, they bump into a number of circumstances which include a 3,000-year-old mummy who has been kept alive by a secret formula and administered by a long line of priests.

The mummy, who when the moon is full, wanders out of his tomb and destroys everything in his way. And that's just what he tries to do to Foran and his expedition. When the mummy kidnaps Peggy Moran, daughter of an American magician who has helped to finance the party, Dick and Wally are on the job for the rescue. There are other intrigues to keep the interest alive. While Ford is somewhat miscast and is capable of much better roles, the others turn in good performances.

All-in-all, it's one of those pictures not to be taken seriously and yet it should go over well with the thrill customers.

CAST: Dick Foran, Peggy Moran, Wallace Ford, Eduardo Ciannelli, George Zucco, Cecil Kellaway, Charles Trowbridge, Tom Tyler, Siegfried Arno, Eddie Foster, Harry Stubbs, Michael Mark, Mara Tarta, Leon Belasco.

CREDITS: Director, Christy Cabanne; Associate Producer, Ben Pivar; Author, Griffin Jay; Screenplay, Griffin Jay and Maxwell Shane.

DIRECTION, Good. PHOTOGRAPHY, Good.

Nancy Kelly Assigned

West Coast Bureau of THE FILM DAILY

Hollywood — Twentieth Century-Fox has assigned Nancy Kelly to the feminine lead in "Breach of Discipline." Harry Lachman will direct. Script has been written by Gina Kaus and Arthur Fitzrichards.

Sign Dancers for "Sunny"

West Coast Bureau of THE FILM DAILY

Hollywood—RKO Radio has signed Paul and Grace Hartman, dancers, for "Sunny." Studio also has cast Jonathan Hale for a role in "The Saint in Palm Springs." Jack Hively will direct.

Republic Signs Carol Hughes

West Coast Bureau of THE FILM DAILY

Hollywood — Republic has signed Carol Hughes to play opposite Roy Rogers in "Border Legion." Joseph Kane directs, with shooting set to start on Monday. Joe Sawyer and Maude Eburne will be in the cast.

Ida Lupino for "My Valley"

West Coast Bureau of THE FILM DAILY

Hollywood—Ida Lupino has been cast by 20th Century-Fox for "How Green Was My Valley."

"Going Places, No. 82"

Universal 10 mins.

Interesting Scenic

Sun Valley, the Idaho vacationland, is the subject of this interesting reel. Touching briefly on the well-known resort possibilities of the Valley, the film shows a number of other attractions in the region, including some of the largest sheep herds in the country, old towns and ranches, mountain ranges, rock formations, and ice caves.

"Stranger Than Fiction, No. 82"

Universal 9 mins.

Routine Subject

A half dozen ordinary clips of unusual material make up this film. Leading off are some views of the Adams mansion in Quincy, Mass., home of two Presidents, John Adams and his son John Quincy Adams. Following are shots of a man who collects artificial dogs, a fellow who makes inlaid gadgets from burnt matches, some views of a U. S. experimental rubber plantation, a youngster with a miniature tractor and a dog who spots balls on an Atlanta golf course.

"Going Places, No. 83"

Universal 9 1/2 mins.

Good Travelogue

Here's a collection of Arizona scenes that should hold audience interest. From Tucson, the reel travels to the Cactus Forest, visits a boy's school, and the Rocky Wonderlands and ends with a trip across the border to Mexico.

Film Life of Wm. Allen White

West Coast Bureau of THE FILM DAILY

Hollywood—Metro plans to make a film on the life of the Emporia, Kan., newspaper editor and novelist, William Allen White. Spencer Tracy is listed to play the role of White. William Rankin, scenarist, has returned from Emporia where he talked with White and his associates gathering material.

Rep. Buys "Captain Marvel"

West Coast Bureau of THE FILM DAILY

Hollywood — Republic has bought "Captain Marvel," a cartoon strip to be used as the basis for a serial. It also bought "Alibi at Midnight," by George Carleton Brown. George Yates will adapt. Bradford Ropes is writing "Song at Twilight" for Gene Autry.

Columbia Assignments

West Coast Bureau of THE FILM DAILY

Hollywood — Columbia has cast Victor Jory and Iris Meredith for the leads in "The Green Archer" Serial went into production yesterday with James Horn directing.

WB Tests Sylvia Sidney

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. will test Sylvia Sidney and Anna Sten for the second feminine role in "January Heights."

"A Class in Swing"

Universal 16 mins.

Fair Musical

Another of those swing sessions in the college classroom, serving to introduce a number of so-so specialty acts. A bit corny but it might please the youngsters. In the cast are Florine McKinney, Peter Lind Hayes, Lorraine Page and her Modernettes, Hal Belfer and Darlene Walders, Karle LeBaron Dancers, Betty Kean, Tim Ryan and The Music Maids.

"Stranger Than Fiction, No. 83"

Universal 9 mins.

Mild Material

Suffering because of a lack of any really unusual material, this reel presents shots of a lady who makes dolls heads from egg shells. A lady lumberjack, a collection of some 6,800 pitchers, and an old Indian who makes blow guns.

"The Volunteer Worker"

Community Chests & Councils, Inc. 3 mins.

Fine Promotional Short

Produced and contributed by Walt Disney for the use of the 1940 Community Chest Campaigns in the U. S. and Canada, this short is an excellent promotional subject. Donald Duck is seen as a spirited public worker. His trials and tribulations are many, but a genial and warm-hearted ditch-digger saves the day for Donald. There's a telling plug for the good that charities accomplish.

Aussie Theaters Feel

Loss of U. S. Fan Mags.

Sydney (By Air Mail)—Recent loss in attendance at the theaters in Australia is laid partly to the stoppage of the importing of American fan magazines, according to Victor Pearson, circuit superintendent of Western Suburbs Cinemas here.

"These magazines," Pearson stated, "made the Australian picture-going public picture-conscious to a large extent, in my opinion, and the loss of that reading habit must affect our business."

"I think we should take up an industry publicity campaign with newspaper advertising as its spearhead, and if possible by running a fan magazine to replace the lost American papers. This might be done through the MPEA with all exhibitors co-operating, and the distributors playing their share."

Para. Buys "Power House"

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has bought screen rights to "Power House," by Meyer Levin and A. I. Bessieres. Harry Sherman has bought two stories which he will produce for Para. — "Tombstone, Arizona" by Dean Franklin, and "American Empire," by J. Robert Bren and Gladys Atwater.

Cinema

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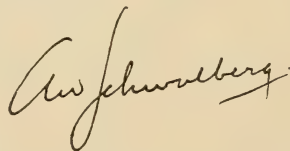
AN OPEN LETTER TO EVERYONE
IN THE AMUSEMENT INDUSTRY:

On Saturday, October 26th, 1940, Cinema Lodge will hold its first Annual Banquet and Ball at the Hotel Pennsylvania.

It is the aim of the various committees in charge of arrangements and entertainment to make this event one of the most enjoyable in the history of the amusement industry.

Benny Goodman will furnish the music and we have been assured by the entertainment committee that the most important personalities of the Screen, Radio, Stage and Music will be there that night.

To insure the complete comfort of every one of our guests, we have definitely limited the number of tickets to be sold. Reservations are now being accepted. Subscriptions \$5. per person.



A. W. Schwalberg,
President

Address communications to
Col. A. Ralph Steinberg
101 Park Ave.—Room 339
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HOTEL PENNSYLVANIA—OCTOBER 26, 1940

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 69

NEW YORK, MONDAY, OCTOBER 7, 1940

TEN CENTS

NEW EXHIB. PRESSURE TO ALTER DECREE MPTOA To Co-operate on Decree Intervention

THE WEEK IN REVIEW

Final Decree Parley?

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: Final draft of consent decree in Gov't equity suit was under study of majors' counsels, with D of J final confab on it expected late in the week. However, Thurman W. Arnold postponed the parley until tomorrow . . . National Allied was seen swinging into support of the decree as "the best obtainable" at this time . . . Mich. Co-op. Theaters, however, protested that decree would freeze present evils of indies, and Kansas-Missouri exhibs. termed it "disastrous" . . . Prexy Ed Kuykendall said MPTOA would take the matter to court if the decree is accepted; he also offered as a substitute for the blocks-of-five pix the banning of licenses for pix more than six months ahead of release . . . Likelihood of exhib. clash on arbitration program was foreseen . . . Arnold, it was reported, will ignore exhib. polls on the decree.

EXHIB. UNITS: MPTO of Missouri and Illinois will battle coin-in-slot pix . . . N. J. Allied at A. C. meet assailed "picture snatching" . . . William F. Rodgers warned Allied's Eastern Regional that new revenue channels must be found, while he later asked 200 exhibs. in Philly to avoid petty jealousies . . . ITPA of Wis. and Upper Mich. discussed decree, 16 mm. menace and automatics . . . Allied Information Department issued its report on film buys . . . MPTOA stated that, in its view, the Neely Bill is a "dead issue."

THIS AND THAT: General admission price boost was seen meeting opposition in a FILM DAILY survey . . . NBC tele for Washington, D. C., assured but delayed for eight months by technical details. FCC excess, saw color tele demonstrated in New York . . . Pa. court sustained censor's ban of the "Baptism of Fire" sequence in M of T's "Ramparts We Watch" . . . Cecil B. DeMille was announced as principal backer of new coin-in-slot producing firm . . . Actors' Equity condemned Reds, Fascists and Communists in the organization.

Kuykendall to Speak On Decree at Three Upstate N. Y. Meetings

MPTOA will co-operate with New York Allied (MPTOA unit) in the latter's move toward intervention in the consent decree. First step in the action will be a series of meetings in up-state New York cities this week, sponsored by New York Allied in conjunction with MPTO of Western New York in Buffalo. Ed Kuykendall

(Continued on Page 7)

Western N. Y. MPTO In Expansion Move

Buffalo—Expansion of MPTO of Western New York to include exhibitors in the Syracuse and Albany areas starts this week in conjunction with the consent decree talks in both cities and in Buffalo. Organization is expected to incorporate

(Continued on Page 8)

Bondy Orders Payment of All RKO Reorg. Allowances

Federal Judge William Bondy Friday signed a formal order providing for the payment of all allowances in the RKO reorg. proceedings. The Court also fixed today as date for the hearing on the application of George L. Schein to reopen an allowance of \$8,000 made to him on the ground it is insufficient.

U. S. Coin for Spanish Pix? British Group Would Use "Frozen" Credits

3-Dimension Pictures Seen on Single Prints

Rochester — New photographic process, the invention of Edwin H. Land, which makes it possible to have three-dimensional motion picture film for showing in existing projectors, and in the form of single prints for direct viewing as well as in the form of single lantern slides

(Continued on Page 7)

Racing, 'Name' Bands Batavia's 'Dual Bill'

Rochester—To get more business for the Night Harness Racing Meet at nearby Batavia, promoters of the track are bringing in "name" bands to play between races and under the stands after the races.

Dick Stabile led off with a six-night stand. George Hall, Ben Bernie and Russ Morgan are expected to follow. Are local exhibs. laughing!

Michigan Allied May Battle Over Decree

Jackson, Mich.—Veiled hints that Michigan Allied would not follow the national organization in accepting "gracefully" the consent decree in the Government's equity suit were in circulation here last night on the eve of the unit's three-day convention which opens today at the Hotel Hayes. Formal action, however, may not be taken in order to avoid actual expression of disagreement.

Regardless of what action is taken, (Continued on Page 7)

"Rockne" Premieres to Record Warners' Rally

South Bend, Ind. — Warners' "Knute Rockne — All American" bowed in at four theaters here Friday night to the accompaniment of one of the greatest rallies in the history of the industry, the quadruple opening attracting staff men of every

(Continued on Page 8)

Trial to be Adjourned One Wk. Today; Okay of Draft Due in Capital Tomorrow

Additional, eleventh-hour exhibitor pressure for revision of the proposed consent decree in the New York equity suit is being attempted, it became known over the week-end as representatives of the five majors taking the decree and officials of the Department of Justice prepared for tomorrow's epochal conference in Washington.

While those organizations and in- (Continued on Page 6)

Posen Suit Called "Baseless" by "U"

A suit by a Universal director and stockholder, Samuel I. Posen, against Universal and its directors was described as "baseless and unfounded" as to its charges in a statement issued Friday by the board of directors. The main basis for the complaint, the statement said, was

(Continued on Page 6)

No Pressure to Withhold Willkie Reel—Schaefer

George J. Schaefer, RKO president, emphatically denied Friday that any pressure had been put on

(Continued on Page 8)

"Rockne" Acclaimed As Sure-fire B. O.

"Knute Rockne—All American," given a quadruple premiere by Warners in South Bend, Ind. Friday night, assayed as a saga of a great football coach and great American which should click at the box office with the fine precision of those Notre Dame teams which he brought to the national gridiron fore.

A splendidly conceived and written original screen play by Robert Buckner south Bend, Ind. Friday night, assayed as a saga of a great football coach and great American which should click at the box office with the fine precision of those Notre Dame teams which he brought to the national gridiron fore. A splendidly conceived and written original screen play by Robert Buckner south Bend, Ind. Friday night, assayed as a saga of a great football coach and great American which should click at the box office with the fine precision of those Notre Dame teams which he brought to the national gridiron fore. A splendidly conceived and written original screen play by Robert Buckner south Bend, Ind. Friday night, assayed as a saga of a great football coach and great American which should click at the box office with the fine precision of those Notre Dame teams which he brought to the national gridiron fore. (For full review, turn to Page 8.)

—BAHN

Washington Bureau of THE FILM DAILY

Washington—The U. S. commercial attache in Madrid at the week-end advised the Commerce Department that representatives of a British motion picture group which was given permission to utilize "frozen" American commercial credits in the production of films in Spain has just returned to conclude final arrangements.

Although originally it was intended (Continued on Page 7)



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DONALD M. MERSEREAU : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Friedman, The Film Renter, 127-133 Wardour St., W. 1. PARIS—P. A. Harle, La Cinematographique, France, 29 rue Marsoulan (12). MEXICO CITY—Marco Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(QUOTATIONS OF FRIDAY, OCT. 4)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	8	8	8	1/4
Col. Pict. vtc. (2 1/2 %)	4 1/2	4 1/2	4 1/2	1/2
Columbia Pict. pfd.	20 1/2	20	20	1/2
Con. Fm. Ind.	12	12	12	1/2
Con. Fm. Ind. pfd.	134	133	133	2
East. Kodak	134	133	133	2
do pfd.				
Gen. Th. Ex.	11 1/2	10 3/4	10 3/4	
Loew's, Inc.	26	25 5/8	26	1/8
do pfd.				
Paramount	7 3/4	7 1/4	7 1/4	1/8
Paramount 1st pfd.	86 1/2	84 1/2	85	
Paramount 2nd pfd.	8 7/8	8 1/2	8 7/8	3/8
Pathe Film	9 7/8	9 7/8	9 7/8	
RKO				
20th Century-Fox	5 7/8	5 7/8	5 7/8	
20th Century-Fox pfd.				
Univ. Pict. pfd.				
Warner Bros.	2 1/2	2 1/2	2 1/2	
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/2 %	102 1/4	102 1/4	102 1/4	1/8
Loew's deb. 3 1/2 % 46	103 1/2	103 1/2	103 1/2	
Para. B'way 3 5/8 %	48 1/4	48 1/4	48 1/4	1/4
Para. Pict. 6 5/8 %				
Para. Pict. vtc. 3 1/4 % 47 91	91	91	91	1/4
Warner Bros. deb. 6 5/8 %				

NEW YORK CURB MARKET

Monogram Pict.	1 1/2	1 1/2	1 1/2	1/8
Sonotone Corp.	9 1/2	9 1/2	9 1/2	1/8
Technicolor	1 1/2	1 1/2	1 1/2	1/8
Trans-Lux	1 1/2	1 1/2	1 1/2	1/8
Universal Corp. vtc.	3 1/4	3 1/4	3 1/4	1/4
Universal Pict.				

FOR RENT

Desirable space (approx. 750 sq. ft.)

RKO Building on sublet until April, 1942 at EXTREMELY LOW RENTAL.

R. M. SAVINI

130 West 46th St. BRyant 9-2457

The Broadway Parade

Picture and Distributor	Theater
Foreign Correspondent (United Artists-Wanger)—last day	Rivoli
Pastor Hall (United Artists-Roosevelt)—3rd week	Globe
Strike Up the Band (Metro-Goldwyn-Mayer Pictures)—2nd week	Capitol
City for Conquest (Warner Bros. Pictures)—2nd week	Strand
The Howards of Virginia (Columbia Pictures)—2nd week	Music Hall
Time in the Sun (World Pictures)—2nd week	5th Ave. Playhouse
Before I Hang (Columbia Pictures)—2nd week	Paramount
I Want a Divorce (Paramount Pictures)	Roxby
Spring Parade (Universal Pictures)	Criterion
Wyoming (Metro-Goldwyn-Mayer Pictures)	Bryant
Never Say Die (Paramount Pictures) (a-g)	Central
The Golden Trail (Monogram Pictures) (a)	Central
Diamond Frontier (Universal Pictures)	Rialto
Hired Wife (Twentieth Century-Fox) (a-b)	Palace
Money and the Woman (Warner Bros. Pictures) (a)	Little Carnegie
Mozart (Mozart Film, Inc.-L. E. Lopert)	Belmont
Here is Ireland (Irish-American Film Corp.)	

TWO-A-DAY RUNS

Gone With the Wind (Metro-Goldwyn-Mayer-Selznick)—43rd week. Astor

FOREIGN LANGUAGE FEATURES

The Baker's Wife (The Baker's Wife Co.)—31st week	World
The Open Road (Le Chemineau), (Robert Mintz)	55th St. Playhouse
The Neapolitan Heart (Esperia Films)	Cine Roma
Vi Pa Soglanian (Scandinavian Film)	48th St. Theater
Whirlpool (French film)	Art Theater

FUTURE OPENINGS

The Long Voyage Home (United Artists-Wanger)—Opens tomorrow	Rivoli
TKO Knew What They Wanted (RKO Radio Pictures)—Oct. 10	Music Hall
The Great Dictator (United Artists-Chaplin)—Oct. 15 (e)	Astor
The Great Dictator (United Artists-Chaplin)—Oct. 15 (d)	Capitol
The Thief of Bagdad (United Artists-RKO)—Oct. 15	Globe
Knute Rockne—All American (Warner Bros. Pictures)—Oct. 18	Strand
Arise My Love (Paramount Pictures)—Oct. 15	Paramount
Down Argentine Way (Twentieth Century-Fox) (c)	Roxby
Quarterback (Paramount Pictures) (c)	Criterion
I'm Still Alive (RKO Radio Pictures) (c)	Rialto
Triple Justice (RKO Radio Pictures)—Oct. 9 (a)	Central
Gambling Ship (Universal Pictures)—Oct. 9 (a)	Central
The Fight for Life (Columbia Pictures) (c)	Bryant
The Ramparts We Watch (RKO Radio-March of Time)—Oct. 10 (a-b)	Palace
Dance, Girl, Dance (RKO Radio Pictures)—Oct. 10 (a)	Palace
The Carnival of Venice (Esperia Films)—Oct. 10	Cinecitta
Carmen—Oct. 18	48th St. Theater

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous, seats unreserved. (e) Two-a-day run, seats reserved. (f) Two-a-day run. (g) Revival.

Cinecolor In Exclusive Contract With Forum

West Coast Bureau of THE FILM DAILY
Hollywood—A contract involving 10,000,000 feet of natural-color educational film a year has been signed between A. L. McCormick, president of Cinecolor, Inc., and James S. Burkett, president of Forum Films, Inc., which will produce the pictures in 35 and 16 mm. The contract calls for all pictures produced by the educational company to be processed exclusively by Cinecolor's Burbank plant.

Prints will be sold outright to U. S. Schools through Forum Films' 31 branch offices in key cities. The first print will be ready for delivery in 30 days. In 45 days, prints will be available to schools in 48 states, it is said.

First subject will be "Help Wanted," to be followed by "Mintues or Pennies?" Thirty stories have been bought in advance from Bruce Findley.

Subjects will vary from two reels to feature length, depending upon sales demands.

Neal Wins Alliance Drive

Chicago—Alliance Theaters' summer business drive was won by Sam Neal, Kokomo district manager. Other winners: Fred Nessel, manager, Anderson; Al Lawter, Ottawa. Dale Loomis of Peru took first for greatest increase in non-theater revenue.

Phonovision Machines For Demonstration Soon

Phonovision distributors will have their machines for demonstration purposes in about three weeks, Frank Orsatti, executive of the coin-in-the-slot film devices, said Friday. Plans for production have been completed.

"Zorro" Bow for Cincy

World premiere of "The Mark of Zorro" will be staged in Cincinnati by 20th-Fox, it was learned at the week-end. Midwestern city is the home of Tyrone Power, star of the picture.

Goodman Ork for Ball

Benny Goodman and ork will furnish the music for the Cinema Lodge's first annual banquet and ball at the Hotel Pennsylvania Oct. 26, Robert W. Weitman, chairman of the entertainment committee, announces.

NWMP Opens at \$1.65-\$1.10

Chicago—U. S. premiere of Para.'s NWMP at the Chicago theater here Oct. 24 will be at \$1.65-\$1.10. Regular run with usual house prices starts the following day.

Loew's \$1.62 1/2 Divvy on Nov. 15

Loew's board of directors last week declared a quarterly dividend of \$1.62 1/2 per share on the outstanding \$6.50 cumulative preferred stock, payable Nov. 15 to stockholders of record Oct. 29.

COMING and GOING

SAM ROSEN of Rosen Film Deliveries, New Haven, is on a 10-day hunting trip in Canada.

JACK L. WARNER is due here from the Coast this morning.

A. L. PRATCHETT, general manager of Latin-America for Paramount trained out Friday night for Mexico City.

FRANK ORSATTI is at the Waldorf.

JAMES PETRILLO, president of the American Federation of Musicians, went to Chicago Friday.

WALTER BRENNAN arrived here Friday.

ELEANOR POWELL left for Hollywood yesterday.

RALPH BELLAMY was scheduled to arrive here this morning from the Coast.

ANNA MAY WONG has returned to Hollywood.

ED KUYENDALL, MPTOA proxy, arrives here today from his home in Columbus, Miss.

LOU BROCK, RKO producer, returned to the Coast over the week-end.

PAULETTE GODDARD has left the Coast by boat for Havana, where she arrives Oct. 13. She will immediately fly to New York to be on hand for the premiere of "The Great Dictator" Oct. 15.

CHARLES EINFELD, MORT BLUMENSTOCK, MICHAEL RAWSON, HARRY GOLDBERG, SYRECHETNIK, RALPH BUDD, BEN COHEN, ED CONNOLLY and other Warner executives, arrive in New York this morning from South Bend, Ind.

Minneapolis Theater Co. Fails; \$610,000 Is Owed

Minneapolis—Minneapolis Theater Co., owner of the Minneapolis Theater here, has filed in bankruptcy, with liabilities of nearly \$610,000 and assets of \$8,327.89. Latter represent value of seats and movable decorations. Hearing is slated for today.

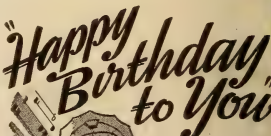
House has been dark since Jan. 1. Inability of the theater to successfully operate is attributed to difficulty in obtaining first-run product and high overhead.

Theater is expected to be remodeled as a parking ramp.

Essaness Drops Prices In Outlying Chi. Houses

Chicago—Essaness circuit has reduced prices in some outlying houses, new scales permitting patrons to avoid the Federal defense tax.

Circuit's Julian, heretofore devoted to foreign films, has turned to American pic; house now plays duals at 15-20c.



From THE FILM DAILY to Leonard Robert Z. Leonard
Edward Pesky
Andy Devine
Jack Mulhall
Max Ree

**Paramount
opens the
Burma Road
to the
Box office!**



JIMMIE FIDLER
in Hollywood

HOLLYWOOD, Sept. 9. — Dorothy Lamour's latest release, "Typhoon," is packing theatres while more ambitious productions play to half-empty houses. This confirms my belief that Hollywood, in its passion for logic, often forgets Mr. and Mrs. Public's one interest is entertainment.

Local critics reflected the industry's attitude by saying "Typhoon" just "isn't believable."

Its director, Louis King, didn't intend it should be. He had brains enough to see that Dorothy Lamour was being ruined by the studio effort to vest South Seas romances with credibility. "Let's treat the South Seas as the average fan pictures them in his mind—as a romantic Utopia," he argued, and proceeded to screen an entertaining day dream.

As a result, the fans were pleased, the studio is reaping a nice profit and Dorothy Lamour is decidedly on the upbeat again.

Dorothy LAMOUR · Robert PRESTON · Preston FOSTER

'MOON OVER BURMA'

with DORIS NOLAN · ALBERT BASSERMAN · A Paramount Picture · Directed by LOUIS KING

Screen Play by Frank Wead, W. P. Lipscomb and Harry Clark • Based on a Story by Wilson Collison



AFTER 7-DAY CELEBRATION 'ROCKNE' IS



250,000 PEOPLE marched into South Bend, Indiana, trebling the university town's regular population of 101,000 for the celebration of Knute Rockne Week. Above is part of tremendous crowd that greeted the "South Bend Special" at the station for a reception that overshadowed any accorded the "Great Rock" following his most important gridiron victories.

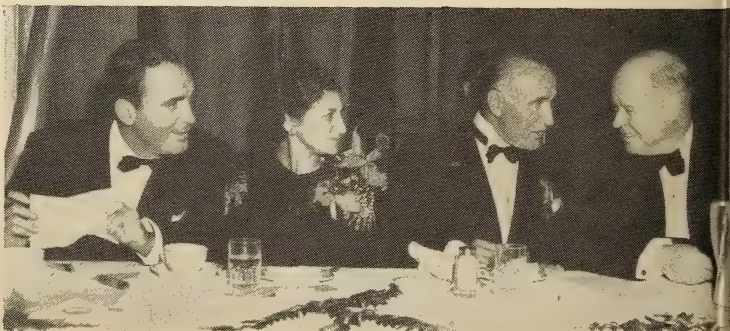


WELCOME ROARED across the nation as every newspaper syndicate in the country, columnists from north, east, south and west and the three top radio networks told their millions of readers and listeners of the Hollywood stars and national celebrities who came to participate in the Knute Rockne week celebration.

WARNERS HIT SHOWMANSHIP PEAK 4-THEATRE PREMIERE REACHES EVENING



MRS. BONNIE SKILES ROCKNE, who aided in the production of the film, hosted the stars in her South Bend home. Again left to right are Ronald Reagan, Mrs. Rockne, Elmer Layden, Pat O'Brien, Rosemary Lane, Gale Page, Anita Louise.



POSTMASTER GENERAL FRANK C. WALKER paid tribute to the memory of Knute Rockne. In the conventional order are Pat O'Brien, who portrays Knute Rockne in the film, Mrs. Rockne, Donald Crisp and the Postmaster General.

THAT ROCKS THE NATION RELEASED!!



ATE SMITH BROADCAST at the gala banquet that drew 4,000 people to the Notre Dame dining hall. The Mutual Broadcasting System relayed the reception to hundreds of Notre Dame Alumni dinners.



FRANKLIN D. ROOSEVELT, JR. brought a message from the president of the United States to Mrs. Bonnie Skiles Rockne. (L. to R.) Gale Page, Rev. Hugh O'Donnell, C. S. C., and F. D. R., Jr.



MAYOR JESSE I. PAVEY, of South Bend, met the train and its celebrities. Left to right are Ronald Reagan, Rosemary Lane, His Honor the Mayor, Gale Page, Mrs. Pat O'Brien and Pat O'Brien.

K AS NEWS OF SOUTH BEND TRY CORNER OF THE LAND



NALS ON as the stars make appearances at the film's four-
ter world premiere. Standing: Peggy Diggins, Irene Rich, Gail
ick, Anita Louise, Mrs. Rockne, Gale Page, Rosemary Lane,
Wyman. (Crouching) Charles Ruggles, Ricardo Cortez, Owen
is, Jr., Bob Hope, Jimmie Fidler, Donald Crisp, Pat O'Brien, Rudy
ee, Ronald Reagan, Franklin D. Roosevelt, Jr.



New Exhib. Pressure For Consent Changes

(Continued from Page 1)

dividual exhibitors joining in the chorus of protests against the decree as now framed realize that, in the face of the stand already taken by Assistant Attorney General Thurman W. Arnold, there is only a 100-to-1 chance of effecting changes, they are registering their objections "for the record." Unless the unexpected happens, formal okay will come at tomorrow's capital meeting.

Conn. MPTO Protest Forceful

Exhib. units which earlier went on record as opposed to the decree's provisions have been following up with formal communications to Arnold. One of the most forceful was received by Arnold's office late last week from the Connecticut MPTO.

Written by Herman M. Levy, executive secretary, it urged Arnold to "give consideration to the almost universal clamor that has arisen" and that the decree "be revised at the Government's instigation."

"When you undertook the Government's action against the film companies, the industry and the country at large understood that the Government was opposed to 'blind-selling,' 'block-booking' and in favor of 'divorcement,'" Levy reminded Arnold, "It is the sentiment of this group that the proposed consent decree aggravates the problem of 'block-booking' to a degree which makes any advantage of the partial elimination of 'blind-selling' insignificant. What benefits it an exhibitor to be able to see pictures before he buys them, if he has to take all or none of the pictures he sees? When the only cancellation right he has is on 'religious, racial or moral grounds'? Pictures that fall into these categories are few and far between.

"There is, of course, no attempt in the proposed decree to bring about 'divorcement.'"

Foresee Increased Rentals

"While it is true that exhibitors will not have to take the pictures offered to them and while they will not have to take shorts, etc., if they do not want them, it is also obvious that distributors will make up this revenue by increased rentals. The sum and substance of these provisions on the licensing of features is that another load will be added to the already existing onerous physical, mental and financial burdens of exhibitors."

"Section VII, which attempts to set up a procedure for the obtaining of film by an 'independent' is reminiscent of the insurance company that agreed to pay double indemnity to its assured under a life insurance policy provided that the assured was killed on a Thursday afternoon at 4 o'clock Eastern Standard Time between June 10 and July 10 while it was raining, and provided further,



● ● ● JUST about everything happened.....both at and attendant upon.....the world premiere in South Bend.....of Warners' "Knut Rockne—All American".....to make the affair memorable.....F'rinstance, on Thursday night.....the premiere's eve.....a banquet in honor of Mrs. Knute Rockne was held at Notre Dame.....At the proceedings.....Franklin D. Roosevelt, Jr., rose and read a letter which his distinguished dad.....sent to Rock's widow.....anent the testimonial event.....It was an inspiring missive whose next to concluding paragraph said:....."We can draw deep inspiration from the ideals which he (Rockne).....exemplified in his life and work.....and from those ideals gather wisdom for our guidance.....in this anxious hour.....when the national defense has become the paramount national concern.....Our need today is for men strong in body.....strong in soul.....and strong in faith.....in the democratic way of life.....In brief.....for men who hold to the ideals.....which Knute Rockne held".....

● ● ● STUFF.....One of the clever touches in RKO Radio's "Too Many Girls" is the manner in which the film's main title is handled.....Thomas B. Ellsworth, publicity-ad director for Ross Federal, emerged victor in the recent Second Annual Invitation Golf Tourney of the New Canaan, Conn., Country Club and did the job 'bout par.....Charlie Brooks of the same Ross Federal org. here won first prize in the Kingsland Park Tennis Tourney at North Tarrytown, N. Y. (Dear Harry Ross: Ain't the boys gonna play Notre Dame this Autumn?).....Leo P. Bott, Jr., is the new ad and sales promotion manager of the Filmack Trailer Co.....J. C. H. Wink, Dalton, Ga., theater owner, is entering the radio field as vice-presy of the Dalton Broadcasting Corp., which will erect a new station in the Georgia town.....

the assured was driving an open car of a certain model and year! The clause in each instance is so replete with conditions precedent and subsequent as to make it ineffectual."

"While exhibitors are no party to the proceedings and do not even have amicus curiae standing, it would seem that if they are to be third party beneficiaries, the consent decree finally adopted should be the most favorable for them and still accomplish the Government's aims, and not be too great a hardship on distributors."

To Ask Week's Delay

Special Assistant Attorney General J. Stephen Doyle today will ask Federal Judge Henry W. Goddard to further adjourn the equity trial for one week, because of the scheduled conference tomorrow.

It is understood that Judge Goddard will receive definite assurances that a formal statement will be made to him on the adjourned date advising him of the exact situation of the settlement negotiations. No opposition to the request for a postponement is expected from the three non-negotiating companies, UA, Columbia and Universal.

Special Hold-Over Ad Campaigns for "Rockne"

Warners has completed plans for special hold-over ad and exploitation campaigns on "Knut Rockne—All American," which had its world premiere Friday night in four South Bend, Ind., theaters as the climax of nationally observed Knute Rockne Memorial Week.

Under the direction of Charles Einfield, special ads have been prepared for the second and third week of "Rockne" engagements. In addition, Warner exploitation men will follow through, with simultaneous second and third week campaigns.

As far as Warner records go, this is the first time any production has had hold-over ad. and exploitation campaigns of that nature mapped out in advance.

A. W. Hepp's Mother Dead

Pittsburgh—Funeral rites for Mrs. Elizabeth W. Hepp, mother of A. Wilbert Hepp, of the Lowrie Theater were held at the Most Holy Name Church, Troy Hill, on Friday.

Posen Suit Called "Baseless" by "U"

(Continued from Page 1)

the sale of English distributing subsidiary and the making of certain employment contracts after the recent change in ownership of Universal.

The board asserted that the subsequent history of the company and its record of progress justified the policies of the new owners and management, adding, "Universal and its directors are confident that they will thoroughly answer these charges in Court when the case comes up for trial."

The suit was filed by Posen and two stockholders, Celia Brown and Esther M. Tolmach, and listed seven charges against a number of officers and directors of Universal and other companies. Posen holds 100 shares of common and 50 of preferred stock. The Misses Brown and Tolmach hold 90 and 190 shares of preferred, respectively.

Named as defendants were J. Cheever Cowdin, Standard Capital Co., Universal Corp., Universal Pictures Co., Inc., Big "U" Film Exchange, Inc., Western Electric Co., Inc., Erpi, Eastman Kodak Co., Charles R. Rogers, J. Arthur Rank, George N. Armsby, Lawrence W. Fox, Jr., Preston Davies, Budd Rogers, R. H. Cochrane, Daniel M. Shaffer, Paul G. Brown, Willis Taylor, Jr., Ottavio Prochet, Samuel Spring, Willard McKay and Daniel C. Collins.

The suit demands an injunction to restrain Universal from paying interest on a \$2,000,000 loan; to restrain Universal Corp., allegedly formed by a syndicate, from controlling Universal Pictures; and to restrain the alleged threatened merger of Universal Pictures with Universal Corp. Additionally, the plaintiffs ask for cancellation of employment contracts, the removal of J. Cheever Cowdin and an accounting from all defendants.

The defendants are charged in the complaint with selling the control of Universal Pictures, Ltd., for \$600,000 when it was allegedly worth \$3,000,000. Other charges made are that the defendants are seeking to merge Universal Corp. with Universal Pictures on an unfair basis; that Universal Pictures has paid personal obligations of defendants; that contracts "have been maneuvered whereby Universal has purchased motion pictures from producers in which the defendants had interests to the disadvantage of Universal; that Big "U" has paid illegal advances to Universal Corp. for various services; that Lawrence S. Howard received \$50,000 allegedly for procuring a loan, and finally, that contracts were granted to Rogers, Cochrane and Cowdin when these defendants allegedly lacked both experience and ability.

An application will be heard today to examine a number of the companies and officers before trial.

IT'S THE TALK OF THE BUSINESS
...AND **ALL** THAT YOU'VE HEARD IT IS!



DOWN ARGENTINE WAY

20TH'S MUSICAL
EXTRAVAGANZA

IN **TECHNICOLOR!**



THE FRESHNESS...THE STARS...THE TECHNICOLOR...THE
HIT MUSIC...THE HOT DANCING...ALL ECLIPSE ANY MUSICAL
ENTERTAINMENT EVER MADE—EVEN 20TH'S GREATEST!



RHUMBAS!...

"Down Argentine Way"



CONGAS!...

"Down Argentine Way"



ROMANCE!...

"Down Argentine Way"



LAUGHTER!...

"Down Argentine Way"



GLAMOR!...

"Down Argentine Way"



SONGS!...

"Down Argentine Way"
and half a dozen
other hits!

**DON
AMECHE**

...you don't know
Don as an enter-
tainer until you've
seen him in this!

BETTY GRABLE

... new star-greatness for
the screen's singing,
dancing sweetheart!

CARMEN MIRANDA

...torrid-voiced! tropical!
tantalizing! terrific!... in
her sensational debut!

CHARLOTTE GREENWOOD

... She's fun ... and so's
the whole cast of laugh-
makers and show-stoppers!

and J. Carrol Naish • Henry Stephenson
Katharine Aldridge • Leonid Kinskey
Chris-Pin Martin

Produced by Darryl F. Zanuck • Associate Producer Harry Joe
Brown • Directed by Irving Cummings • Screen Play by Darrell
Ware and Karl Tunberg • Story by Rian James and Ralph
Spence • Music and Lyrics by Mack Gordon and Harry Warren



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IN
U.S.A.

Michigan Allied May Battle Over Decree

(Continued from Page 1)

it is indicated that the consent decree, its provisions and effects will be the center of interest and discussions. It is believed by some that the ranks of Michigan Allied are split on the question of acceptance of the decree and that the convention will be the battle-ground of two strongly opposed points of view.

Abram F. Myers, general counsel of American Allied, is scheduled to address the sessions, as well as H. M. Richey, former general manager of the Michigan unit and now M-G-M's director of exhibitor relations.

Convention's entertainment program includes a golf tournament and a tour of the Michigan State Prison. Directors' meeting today will set the course for the sessions tomorrow and Wednesday.

Hammons Sued on Notes

Earle W. Hammons on Friday was named defendant in a suit for \$31,000 on promissory notes made in 1931 to the Federation Bank & Trust Co. Hammons is disputing the amount due and has raised several other defenses.

U. S. Coin for Spanish Pix? British Group Would Use "Frozen" Credits

(Continued from Page 1)

to invest 5,000,000 pesetas from American blocked commercial credits in a single large film, it is now reported that several less expensive productions may be first undertaken.

Proceeds from such films as are created for distribution in the U. S. may be retained to apply against the peseta capital advanced by a large American creditor, the commercial attache stated.

Heads of major company foreign

departments said on Friday that the plan as outlined by the Madrid attache was one of several proposed in the last year. In some circles it was said that the "British motion picture group" in reality was one man who had tried on several occasions to effect such a deal.

The "large American creditor" mentioned in the Washington report is said to be a rubber company which has 20,000,000 pesetas tied up in Spain.

3-Dimension Pictures Seen on Single Prints

(Continued from Page 1)

was shown here on the week-end as a feature of the Optical Society of America's 25th Annual Convention.

It permits two complete and distinct pictures to occupy the same place at the same time without distortion of time, loss of detail or other interference. The new process prints may be held in the hand like ordinary photographs, or pasted in an album.

RCA Schedules Benefits For Workers in Service

All employees of RCA and its subsidiaries, of six months or more standing, who may be called or who may volunteer for service in the U. S. armed forces, will be paid the difference between what they earn in their last month of employment and what they receive for their first month's service. Additionally, RCA will continue in force for one year, the group life insurance of those who may be called or who may volunteer.

MPTOA to Co-operate On Intervention

(Continued from Page 1)

dall, MPTOA president, is slated to attend and address these sessions.

First of the meetings will be held today in Buffalo. Another meeting will be held tomorrow in Syracuse and the final parley is to be held Wednesday in Albany.

Methods of intervention and other details in connection with fighting the decree are scheduled to be discussed at the exhibitor meetings.

It is understood that MPTOA will intervene on the decree issue separately and with the New York units, although Kuykendall has not made a formal statement on the procedure.

Astor Awaiting Arrival Of 2,500,000th GWTW Fan

The 2,500,000th patron is expected to enter the Astor Theater, Broadway, today or tomorrow to see GWTW. Whether that person buys his ticket today or tomorrow depends on the activity of the box-office, but a celebration is planned when the event occurs.

Picture closes its Astor run next Sunday after a 44-week run.

HUGH HERBERT

MAKES NEW WOO-WOOS IN
HIT PARADE of 1941
A REPUBLIC PICTURE



KENNY FRANCES HUGH MARY ANN
BAKER · LANGFORD · HERBERT · BOLAND · MILLER
PATSY KELLY · PHIL SILVERS · STERLING HOLLOWAY · DONALD MACBRIDE
BARNETT PARKER · FRANKLIN PANGBORN · SIX HITS AND A MISS
BORRAH MINEVITCH and his HARMONICA RASCALS

JOHN H. AUER, DIRECTOR

AND A BRILLIANT CAST OF SCREEN AND RADIO STARS!

"Rockne" Premiere To Record WB Bally

(Continued from Page 1)

U. S. news service, top columnists and radio commentators, Hollywood stars, notables galore, company executives, exhibitors, and John Q. Public in sufficient numbers to form at least a dozen Army Divisions.

Not since the "42nd Street Special" 10 years ago made exploitation history has there been anything comparable with this feat of Charlie Einfeld and Mort Blumenstock and their staffs, if you'll take the average observer's word for it. At any rate, South Bend, not exactly a stranger to hullabaloo, admittedly never experienced its like before.

The quadruple world premiere was preceded Friday by a series of events including a civic luncheon for the visitors at the South Bend Country Club, a buffet supper in the Embroidery Room of the Oliver Hotel, and the Kate Smith broadcast from the John Adams High School with Pat O'Brien, Gale Page, Ronald Reagan, Donald Crisp, Mrs. Knute Rockne and the Notre Dame band and choir participating. Following the premiere, there was a ball at the Palais Royal. The stellar contingent made p.a.'s at all four theaters and attended the ball.

Exhibitors and circuit execs, present included John Balaban, William Holden, Archie Herzoff, Dave Walenstein, Walter Immerman, Jack Sampson, Harry Lustgarten, William J. Hollander, James Coston, Alex Mander, Morris Rubin. Also here were Tom Gilliam, Warner's Chicago branch manager; Fred Greenberg, company's Indianapolis manager and Rastus Herman, Chicago salesman.

Observance of Knute Rockne Memorial Week concluded Saturday, final events including a visit by the players to Rockne's grave to place a wreath, luncheon at St. Mary's College for girls and attendance by the visitors at the season's opening game between Notre Dame and the College of the Pacific. Mutual carried the between the halves tribute to Rockne's memory.

Next WB Debut In Tacoma

World premiere of Warners "Tugboat Annie Sails Again" will be held simultaneously Oct. 18 in three Tacoma, Wash., theaters, the Roxy, Blue Mouse and Music Box. Marjorie Rameau and Alan Hale, stars of the picture, will head the Hollywood contingent attending.

Alliance in Circuit Deals

Chicago—Alliance Theater circuit has closed seasonal product deals with Metro, Warners, Paramount.

STORKS!

Detroit—Harold Sandelman, state salesman for M-G-M, became the father of his first child, a girl, Carole Lynn.

REVIEWS OF NEW FILMS

"Knute Rockne"— All American

with Pat O'Brien, Gale Page, Ronald Reagan, Donald Crisp

Warners 98 Mins.

DIFFERENT FOOTBALL STORY SHOULD CLICK AT THE BOX OFFICE WITH THE PRECISION OF A ROCKNE NOTRE DAME TEAM.

This saga of a great football coach and great American should click at the box office with the fine precision of those Notre Dame teams which he brought to the national gridiron fore. It will do this for exactly the same reason that Notre Dame elevens consistently swept all before them, for a succession of seasons; which is to say that the picture again exemplifies that teamwork that has become synonymous with Warners.

A splendidly conceived and written original screen play by Robert Buckner has been skillfully peopled with flesh-and-blood characters who, under the deft and sure guidance of Director Lloyd Bacon, bring the appealing story of Knute Rockne—All American to life, not only with the dramatic thrills of the game but with those touches of humor, romance, pathos and sheer tragedy which provide human highlights . . . and sound entertainment.

And importantly from the box office standpoint, here is a football picture that dares to be different. The substitute positively does not dash onto the field in the last minute of the fourth quarter to win for Notre Dame. No, there is something far more effective, far more gripping—yes, and far more poignant—than that to provide the football climax of the story.

It is the deathbed message of George Gipp—"the Gipper," one of Notre Dame's greatest—quietly spoken by Rockne from his wheel chair between the halves which galvanizes his team into action, sends it back to wrest victory from a confident, leading Army. It is for just such a crisis that, dying, "the Gipper" had asked Rockne to reserve his words.

There is much that precedes, more that follows, for the story takes Rockne from his childhood in Norway to boyhood and young manhood in Chicago where he played "sand lot" football, worked in the post office to earn his Notre Dame tuition; thence to South Bend where, with Gus Dorais as his room-mate, he studied chemistry, played football, graduated cum laude, stayed on to teach and coach, following his marriage to Bonnie Skiles.

The inception of the Rockne passing attack and of the famed shift, the development of George Gipp and the now legendary Four Horsemen, the procession of seasonal triumphs, the unexpected defeat by the Army, Rockne's gameness when stricken with pleuritis, his forceful defense of collegiate football when it is under attack, his home life, his tragic death in a plane crash, and the moving funeral oration in Notre Dame chapel—these fill out the story.

Pat O'Brien's life-like Rockne is brilliantly delineated; it's as though Rockne himself were striding across the field once more. Equally finely shaded are the Gipp of Ronald Reagan, the Father Callahan of Donald Crisp; and scarcely less effective are the Father Newland of Albert Basserman, the Gus Dorais of Owen Davis, Jr., and the "Four Horsemen" of Bob Byrne, Kane Rich-

"Frontier Vengeance"

with Don "Red" Barry, Betty Moran, George Offerman, Jr.

Republic 57 Mins.

WESTERN DUE TO WEAK STORY FALLS BELOW STANDARD OF PREVIOUS RELEASES IN SERIES.

This western falls below the standard set by previous releases in the series Republic is making with Don "Red" Barry. Weak story material is its principal fault, with the dialogue and situations stilted. Picture, however, will still probably interest the dyed-in-the-wool western fans. The outdoor locations are okay and the technical aspects of the picture are up to par.

Barry is adequate in his role. Betty Moran is attractive but lacks experience. George Offerman, Jr. is not very convincing in a supporting role, but the balance of the cast is made up of seasoned players who capably handle their assignments. Nate Watt directed.

Barry, on his way to Crescent City to meet Offerman, a boyhood pal, rescues Miss Moran when the stage she is driving is held up. He is told that Offerman's father, operator of a rival stage line, is behind the road agents who are wrecking the Moran line. Barry shortly afterwards takes up the cudgels in behalf of Miss Moran and her father and winds up by winning the mail contract for them. Not without considerable difficulty, however, as the villains go through their customary paces.

CAST: Don "Red" Barry, Betty Moran, George Offerman, Jr., Ivan Miller, Obed "Dad" Pickard, Cindy Walker, Kenneth Macdonald, Griff Barnett, Yakima Canutt, Jack Lawrence, Matty Roubert, Fred "Snowflake" Toones.

CREDITS: Associate producer, George Sherman; Director, Nate Watt; Screenplay, Bennett Cohen and Barry Shipman; Original Story, Bennett Cohen; Cameraman, Reggie Lanning; Editor, Edward Mann.

DIRECTION, O. K. PHOTOGRAPHY, Good.

mond, Nick Lukats and William Marshall. Gale Page is a wholly sympathetic and understanding Bonnie Skiles Rockne.

From the production standpoint, the picture is another plume in the Warner chapeau, and Robert Fellows, associate producer, can take a bow. So, too, can Tony Gaudio for the corking photography and Leo F. Forbstein for the musical direction.

CAST: Pat O'Brien, Gale Page, Donald Crisp, Ronald Reagan, Albert Basserman, John Qualen, Dorothy Tree, John Sheffield, Bill Sheffield, Owen Davis, Jr., Bob Byrne, Kane Richmond, Nick Lukats, William Marshall, Ruth Robinson, Cliff Clark, Richard Clayton, George Haywood, Carlyle Moore, Jr., Peter Ashley, Michael Harvey, Gaylord Pendleton, George Irving, Charles Trowbridge, Charles Wilson.

CREDITS: In Charge of Production, Jack L. Warner; Executive Producer, Hal B. Wallis; Associate Producer, Robert Fellows; Director, Lloyd Bacon; Screenplay, Robert Buckner; Photography, Tony Gaudio; Special Effects, Byron Haskin, Rex Wimpy; Art Director, Robert Hays; Musical Director, Leo F. Forbstein; Sound, Charles Lang; Technical Advisers, Nick Lukats, J. A. Haley; Editor, Ralph Dawson.

DIRECTION, TOPS. PHOTOGRAPHY, Excellent.

Western N. Y. MPTO In Expansion Move

(Continued from Page 1)

under the name of MPTO of the State of New York.

Under the expansion plans, 24 directors will be elected in place of the present twelve, in addition to at least six district vice-presidents.

A. Charles Hayman, president, will be chairman of the sessions. All the Schine organizations have joined up with the unit.

No Pressure to Withhold Willkie Reel—Schaefer

(Continued from Page 1)

his company by Edward J. Flynn or any other person of the Democratic National Committee with reference to withholding the release of the second "Information Please" film in which Wendell Willkie appears, or for fear of any retaliatory measures from the present administration.

Denial followed public charges by Samuel F. Pryor, Jr., director of the Eastern division of the Republican National Committee that the Willkie reel was being "suppressed" under Democratic pressure.

"Our newsreels give a 50-50 break to each candidate, and beyond that we do not intend to go," said Schaefer.

Fox DeGraw Theater, Brookfield, Mo., Opens

Brookfield, Mo.—New Fox DeGraw Theater here has opened. Present for the opening were execs. of the Fox Mid-west Theaters, including Elmer C. Rhoden, division manager; E. J. Haas, district manager; Lon Cox, film buyer; and Lou Pope, purchasing agent, all of Kansas City. Others present were: Robert O. Boller, architect, Kansas City; Walter Flett, contractor, Kansas City; Sam Abrahams, film delivery service, Kansas City; Arthur Zimmerman, Kansas City manager for Fox Midwest; Robert Withers, manager, Republic Pictures office, Kansas City; Ollie Olsen, of Alexander Films, Kansas City; and the following theater managers: Ed Matter, Sedalia; Earl Hayes, Kirksville; Dale Havelong, Marshall; Ralph Wallace, Booneville.

WEDDING BELLS

New Glasgow, N. S.—Marriage of Lois Marjorie Brydges of the Roseland and Academy of Music office staff and Roderick B. MacDonald took place in St. John the Baptist Church.

Detroit — Wedding of Maxine Schreiber to Carl C. Fidler was a society event here. Bride is the daughter of Nate Schreiber, local theater owner.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 70

NEW YORK, TUESDAY, OCTOBER 8, 1940

TEN CENTS

"BIG FIVE" TO REQUEST DECREE CHANGES Cost Increases Limitless Under Decree—MPTOA

**Kuykendall Sees Decree
As Destroying Rather Than
Helping the Film Industry**

By W. E. J. MARTIN

FILM DAILY Staff Correspondent

Buffalo—The proposed consent decree in the U. S. anti-trust suit against producer-distributors with its block-of-five sales phase, is unfair and ruinous for exhibitors, Edward L. Kuykendall, MPTOA president, told Western New York movie theater owners and managers at a meeting here yesterday to ratify the incorporation of a new membership corporation. Gowanda, Williams-

(Continued on Page 9)

Korn's 18 Theaters Acquired by Griffith

Dallas—Deal by which Griffith Theaters takes over the O. K. Theaters has been completed, according to an announcement released by R. I. Payne of the purchasing group. The transaction involves \$500,000, and was handled by Payne and Oscar Korn of the O. K. Theaters.

Involved in the deal were 18 theaters.

(Continued on Page 4)

Report S-W, Paramount In Philly Deadlock

Philadelphia—Stanley-Warner Theater execs, here are reported to have reached a deadlock with Paramount on the 1940-41 product negotiations. Neil F. Agnew, Paramount's general sales manager, and J. J.

(Continued on Page 9)

"Dictator" Seat Sale Breaks Speed Record

Because of crowds gathering at 9 a. m. yesterday at the Astor Theater to buy tickets for Charlie Chaplin's "Great Dictator," police asked that the box office be opened in advance of the regular hour—10 o'clock. It was opened at 9:30 with the stream of buyers keeping four ticket sellers busy. House was quickly sold out for the opening night, Oct. 15, and seats were placed on sale for the next four weeks. Four extra telephones have been installed to take care of phoned reservations.

Shirley Temple May Sign Metro Contract Today, with First Picture Starting in January

Deal whereby Shirley Temple will become an M-G-M star is expected to be closed today on the Coast, it was learned here last night. Negotiations have been under way between Vic Orsatti and Metro execs. for some time. Contract will become effective in January when Shirley will start her first picture.

AMPP-SAG Make New Proposal on Extras

Hollywood—That only those extras who have received through Central Casting Corp. in excess of 10 days' employment during 1939 be entitled to preferential employment is the recommendation of the standing committee of the Motion Pictures Producers and the Screen Actors Guild.

The committee also recommends that the Guild grant waivers permitting use of non-guild extras at the Guild wage scale whenever production ends the number of Guild-member extras and makes it impossible.

(Continued on Page 10)

National Draft Board Post for Louis Nizer

Louis Nizer, well known industry attorney, has been named head of the motion picture and theatrical division of the national draft board. Nizer will act in an advisory capacity in connection with the industry's participation and co-operation in facilitating the military defense program. His duties will extend on a national basis.

Dieterle's New Co. To Release via RKO

Hollywood—Newly incorporated William Dieterle Productions will release two pictures through RKO, with the initial picture slated to go into production in December.

Deal provides for two pictures the first year, with RKO holding an option for two more pictures for the second year.

Dieterle is president of new organization; Robert McDonald, vice-president; A. Ronald Button, secretary-treasurer. Common stock will be issued to the amount of \$1,000,000.

Lange to Take Clipper For Europe on Thursday

Fred Lange, Paramount's manager for Continental Europe, plans to leave Thursday by Clipper for Europe where he hopes to determine the status of Paramount's affairs on the Continent. Lange said he could not predict what he will run up against until he arrives at the various Paramount offices as informant.

(Continued on Page 9)

U.S. May Resume U.K. Prod'n Allport of MPPDA Confers With British BOT

Sol. C. Siegel Leaving Republic to Join Para.

Hollywood—Sol C. Siegel, executive producer of Republic Productions, Inc., will join Paramount as producer. Switch will not be made until some time in November.

London (By Cable)—Discussions which may result in the Board of Trade assisting American film companies to resume production in England are under way here between F. W. Allport, of the MPPDA, and E. B. Somervell, representing the Board of Trade's film department. Local production problems are being given thorough study.

In addition to production talks, All-

(Continued on Page 9)

Modifications in Substance And Language of Draft to Be Asked at Arnold Meet

Representatives of the five negotiating companies will ask Assistant Attorney General Thurman W. Arnold today in Washington to make several changes both in substance and in language in the proposed consent decree, it was learned yesterday at the close of a meeting of company attorneys at the Bar Association Building.

These representatives stated that the decree was still not ready for final affixing of signatures and that the purpose of today's scheduled

(Continued on Page 10)

Court Holds D of J Acts for All Trade

Federal Judge Henry W. Goddard yesterday, after postponing the hearing on the proposed New York equity suit consent decree until Oct. 15, told Jacob Schechter, attorney for Allied of New York, that it was the Court's opinion that the Department of Justice was "acting in be-

(Continued on Page 4)

First Philco Football Telecast is Effective

Philadelphia—For the first time, a football game, Penn vs. Maryland, was televised here Saturday by Philco engineers. Ten of them, un-

(Continued on Page 9)

Last Week of GWTW Rivaling First Week

With "Gone With the Wind" in its last week at the Astor, Broadway, indications are that the final stanza will rival the opening week's business. Since it was announced that the picture would close its 44-week run next Sunday, the house has played to capacity audiences. It was reported yesterday that thousands were turned away over the week-end.

Chicago—"Gone With the Wind" will close its run of 10 months at the Woods Theater on Oct. 20. Attendance will pass the million mark before the close.

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DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Monday, Oct. 7)

NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Seat.				
Col. Pict. vcs. (21 1/2%)	5	5	5	+ 1/2
Columbia Pict. pfd.	20 3/4	20 3/4	20 3/4	+ 3/8
Con. Fm. Ind.				
Con. Fm. Ind. pfd.	8 1/8	8 1/8	8 1/8	+ 1/4
East. Kodak	134	133 1/2	133 1/2	+ 1/2
Gen. Tel. pfd.	17 1/2	17 1/2	17 1/2	+ 1/4
Gen. Tel. Eq.	10 1/2	10 1/2	10 1/2	+ 1/4
Loew's, Inc.	26 1/2	26 1/4	26 1/2	+ 1/4
do pfd.				
Paramount	7 1/4	7 1/8	7 1/8	+ 1/8
Para. 1st pfd.				
Para. 2nd pfd.	8 3/4	8 3/4	8 3/4	+ 1/8
Pathe Film	10	9 7/8	9 7/8	+ 1/8
20th Century-Fox	6 1/8	5 7/8	6	+ 1/8
20th Century-Fox pfd.				
Univ. Pict. pfd.	80	80	80	+ 1/2
Warner Bros.	2 1/2	2 3/4	2 3/4	+ 1/8
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref.	6 1/4	102 1/4	102 1/4	
Loew's deb.	3 1/2	103 1/2	103 1/2	
Para. B'way 3 1/2	48 1/4	48 1/4	48 1/4	+ 1/4
Para. Pict. vcs. 3 1/2	91	91	91	- 1/2
Warner Bros. dbcs. 6 1/8	85	85	85	+ 1/2

NEW YORK CURB MARKET

Monogram Pict.	13 1/4	13 1/4	13 1/4	- 1/8
Sonotone Corp.				
Technicolor	9 1/2	9	9	- 1/2
Trans-Lux				
Universal Corp. vtc.				
Universal Pict.				

West Artists Ask Contract

West Coast Bureau of THE FILM DAILY

Hollywood—Studio title artists will ask producers for a contract embracing 52 weeks, consecutive work, a closed shop and a five-day 40-hour week.

GENERAL FILM LIBRARY, INC.

WORLD'S LARGEST "STOCK SHOT" LIBRARY—OVER 20 MILLION FEET OF INDEXED NEGATIVES IN STOCK
1600 BROADWAY, N.Y.C.
Circu 6-0081-2-3-4

UA Has Own Policy to Aid War-Closed Brit. Theaters

London (By Air Mail) — United Artists is not among the members of the KRS Council which recently agreed to suspend future contracts with theaters closed owing to the war during the period of closure. UA has a plan of its own for aiding exhibitors whose theaters have been closed by war conditions.

"With the aim of minimizing losses (of both exhibitors and producers) United Artists producers have agreed that contracts on such films as 'The Westerner' and 'Rebecca' will be sympathetically revised in all cases where the exhibitor has suffered loss, provided the exhibitor re-books the film in question to play at a later date when it is hoped conditions will be more normal."

While not avoiding loss for exhibitor or producer, UA believes this re-booking will be to their common interest.

Better Friday Night Biz. Expected In Milwaukee

Milwaukee—Downtown exhibitors are looking forward to improved Friday night business as the result of a move by some 50 shops to remain open until 9 p.m. Many of these stores had never stayed open at night but voted for the new policy to secure some of the business which they claim is being captured by outlying merchants who remain open from one to three nights a week.

Friday night is ordinarily a dull night for theaters and with these shops remaining open, it is expected to help gravitate people to the downtown area as well as hold many of those who work downtown in the district during the evening.

Civil Liberties Com. Seeks New Chi. Censor Board

Chicago—The City Council having failed to take any action on revamping the Chicago censor board, the Civil Liberties Committee is starting a campaign to obtain public backing for a new board of censors. It will show films recently banned here at the Universal exchange projection room today.

Phil Reisman in Brazil

Rio de Janeiro (By Cable)—Phil Reisman, RKO vice-prexy, convenes the company's Brazilian sales convention here Thursday. Meeting closes Friday and thereafter Reisman sails on the S. S. Argentina for New York, arriving Oct. 26.

Skouras Trial Oct. 28

Trial of the Government case against George P. Skouras, Harvey B. Newins, Skouras Theaters Corp., and Ktima Corp., was ordered for Oct. 28 by Federal Judge John W. Clancy yesterday.

Early "Ramparts" Appeal Hearing to be Requested

Philadelphia — Counsel for Time, Inc., and RKO Radio Pictures, Inc., are expected to petition the Superior Court here to advance the hearing on their appeal from the State Board of Censors ban on the "Baptism of Fire" footage in the M of T's feature, "The Ramparts We Watch."

Appeal was filed on Saturday from the Common Pleas Court decision upholding the Board of Censors. Ordinarily, hearing would not come up until Nov. 25 but with RKO anxious to distribute in Pennsylvania, request to advance the date is expected.

The appellants, contend that the Board of Censors had abused its discretion in halting the showing of the picture at Jay Emanuel theaters in Harrisburg and Reading.

Production Pace Slows; Only Four Pix Starting

West Coast Bureau of THE FILM DAILY

Hollywood — Four pictures are scheduled to go into work this week as the production pace slows. The four:

At M-G-M: "Wild Man of Borneo" with Frank Morgan, Billie Burke, Donald Meek and June Preisser.

At Republic: "Border Legion" starring Roy Rogers with George "Gabby" Hayes and Carol Hughes.

At Universal: "The Invisible Woman" with John Barrymore, John Howard, Virginia Bruce, Charles Ruggles and Oscar Homolka.

At Warners: "She Couldn't Say No" with Ronald Reagan and Rosemary Lane.

"Spring Parade" May Give Roxy New Year's Record

Universal's "Spring Parade" is expected to break a year's record at the Roxy, Broadway, during its first week. Picture is reported to have hit the \$50,000 mark at the week-end, with a probable \$65,000 or more seen on the week's engagement.

Great States Meets Today; To Plan Attendance Spur

Chicago—Great States managers will meet today at the Drake Hotel, with John Balaban presiding, to outline plans for the Fall season and to get a drive under way for greater attendance at the circuit's theaters.

Ascaph Networks to Review Talks

Resumption of negotiations between Ascaph and the networks with a committee of band leaders acting as conciliators loomed yesterday. Film companies have been concerned over threatened ban on airwaves of Ascaph-controlled music as it would eliminate an invaluable medium of plugging new songs from musicals.

COMING and GOING

MARK HELLINGER, associate producer for Warners, and his wife, GLADYS GLAD, are en route to New York from the Coast on the Manhattan.

W. C. GEHRING, Central division manager for 20th-Fox, left last night for a week's visit to Midwestern offices on product deals.

HAL SHERMAN and his wife are leaving for the Coast tonight.

CARSON KANIN, RKO director, flew in yesterday from the Coast for a vacation.

HAROLD HUBER is here from Hollywood.

SIDNEY STOCKTON, Metro office manager at Albany, has returned to that city after a vacation in Washington.

FLORENCE SCHOMAKER, of Universal's Cincinnati staff, is here for a vacation.

UDA B. ROSS, Western Electric representative in Peru, and MRS. ROSS, arrived here yesterday from South America on the Santa Clara.

WALTER WANGER and his wife, JOAN BENNETT, have returned to New York after being out of town for a few days.

H. O. CLEISS and H. J. HANREDDY, Ross Federal branch managers in Cincinnati and Indianapolis, respectively, are here for home office holidays.

MRS. JAMES FIDLER is at the Warwick.

CHARLOTTE GREENWOOD has arrived here from the Coast.

JON HALL and his wife, FRANCES LANGFORD, arrived here yesterday from Hollywood.

RAY BOLGER leaves for the Coast Oct. 17.

WALTER BRENNAN is at the Waldorf.

JOHN LODGE has arrived in New York.

JOHN GARFIELD arrived yesterday from the Coast.

ROSEMARY LANE is here from Hollywood for a vacation.

DAVE CHERMAN, of the Lawrence, New Haven, MRS. CHERMAN, MRS. ROSE FISMAN of Fishman Theaters, and MRS. LAWRENCE C. CAPLAN, made a motor trip to Washington.

Mandel to Build New RKO Exchange Building in Chi.

Chicago—The RKO film exchange next Spring will move into a new building, to be erected on the southwest corner of 13th and Wabash Aves., in the heart of the new South Wabash Avenue film district.

The 1300 Wabash Building Corp., headed by I. W. Mandel of Republic Pictures, will build the structure which has been leased to the RKO Company for 15 years, at a yearly rental of \$16,500.

Work will get under way next month and building will be ready for occupancy in April, 1941.

EVERY TELEGRAM'S A RUSH TELEGRAM AT

Postal
Telegraph

CHARGES FOR TELEGRAMS PHONED IN APPEAR ON YOUR TELEPHONE BILL.

SPATCH FROM REUTER'S...DISPATCH FROM REUTER'S

CH FROM REUTER'S...DISPATCH FROM REUTER'S...DI

REUTER'S...DISPATCH FROM REUTER'S...DISPATCH

SPATCH FROM REUTER'S...DISPATCH FROM REUTER'S...

TCH FROM REUTER'S...DISPATCH FROM

**AS DRAMATIC AS A NEWS FLASH!
EDW. G. ROBINSON IN "A DISPATCH
FROM REUTER'S" ... RIGHT AFTER
'ROCKNE' FROM WARNERS!**

with
EDNA BEST • EDDIE ALBERT
Albert Basserman • Gene Lockhart
Otto Kruger • Nigel Bruce
Montagu Love • James Stephenson
Directed by WM. DIETERLE
Music by Max Steiner • Screen Play by
Milton Krims • From a Story by Valentine
Williams and Wolfgang Wilhelm

TCH FROM REUTER'S

Court Holds D of J Acts for All Trade

(Continued from Page 1)

half of the entire industry and the public" in its settlement negotiations.

The Court refused to direct the Government to distribute copies of the decree to independent exhibitor organizations prior to submission of the decree to the Court, stating that "it was not usual to give out to the public the terms of a decree before the Court sees them."

Schechter had urged the necessity of studying the decree before presenting his arguments against it, claiming that independent exhibitors had a direct interest in the hearing. Judge Goddard suggested that Schechter request a copy from the D of J directly.

Special Assistant Attorney General J. Stephen Doyle asked for the postponement, stating that the companies and the Government "have agreed in principle" and that he expected to have a definite proposal ready on the adjourned date. Doyle refused an offer of the Court to grant a longer postponement, declaring that the Government did not need it and would probably be ready next week.

Rosenthal Suit Said Withdrawn by Settos

Indianapolis—Suit to dissolve the partnership owning the Vogue Theater, St. Matthews, Ky., and the Strand and Shelby Theaters, Shelbyville, Ky., filed Friday in Louisville by William Rosenthal, Indianapolis, against George Settos, Indianapolis, and Frank M. Krapp, LaJolla, Calif., all partners in the operation of Settos Theaters has been withdrawn, according to Settos. Latter said that the action grew out of a "misunderstanding," ironed out at a conference Friday night. Rosenthal was not available for comment.

Only Two Tripling In Chi.

Chicago — The Kimbark theater, South Side, and the Coed theater North Side, were the only theaters advertising triples, over the weekend.



● ● ● TODAY.....we tune in the voice.....of that showman sage of Chicago.....Charlie Ryan.....via quoting from his Helpful Hints No. 39.....in the most recent issue of Warners' Chi. Theaters' Exploitation Bulletin.....Subject: Trade Paper Knowledge....."We are only wise when we admit we know nothing.....Wisdom and foresight are two factors that will develop a showman.....who has his mind made up to be a success.....The manager is successful only when he surrounds himself with employes who are eager to learn the show business.....Trade papers of merit are of vital importance.....to the manager.....and he should arrange for the members of his Staff.....to read and interest themselves in these publications....."

● ● ● "NO theater man should be without a copy of every issue.....of the well-known trade papers.....because they are as important authorities on our business.....as any medium he could possess".....and Charlie then goes on to say:....."There are always suggestions in these publications that tap new sources of patronage".....and concludes with....."Trade papers have the greatest resources for collecting information throughout the country.....These magazines have specialized in the development.....of the various important phases of our business.....and are concerned solely in the presentation and production of motion pictures".....

● ● ● SPEAKING of Chicago.....that municipality which was set aflame.....in the dear dead past.....when Mother O'Leary's cow got off a spectacular quick-kick.....will be emotionally on fire on Oct. 24.....when Cecil B. DeMille's aurora-hued "Northwest Mounted Police".....world premieres at B & K's Chicago Theater.....with a nine-star cast.....Culminating the three-day celebration.....aside from the picture's bow.....which is being sponsored by the financially and commercially potent State Street Council.....will be a 131-station Mutual radio hookup.....with DeMille enceeding.....and introducing what is heralded to be.....the largest block of movie celebs.....to gather outside of Hollywood.....for a film opening.....There'll be big parades, too.....not the least of which will be the upward march of b.o. scales.....for both the Chi. Theater engagement.....and in the subsequents of the territory thereafter.....

● ● ● 'FRISCO and Li'l Ole New York.....will be big-premiere venues today.....On the Coast RKO Radio's "They Knew What They Wanted".....will bow at the Golden Gate Theater.....in the wake of yesterday's private preview for the Western press.....hosted by Charles Laughton.....A block-long grape festival is one of the attending events programed.....In addition to Mister Laughton.....Carole Lombard, Anne Shirley, ZaSu Pitts, Olympe Bradna, William Gargan, Leon Errol, Tim Holt and Linda Hayes.....will be on hand personally for the festivities.....The other big premiere will take place in Father Knickerbocker's Rivoli.....where Walter Wanger's "The Long Voyage Home" will attract a brilliant audience.....including Joan Bennett, Loretta Young, Lilian Bond, Walter Brennan, Ralph Bellamy, Murray Silverstone, Eddie Cantor, Lynn Farnol.....Col. and Mrs. Julius Ochs Adler, Erich Pommer, Jules Brulatour, Hope Hampton, Capt. W. H. Pashley, U.S.N., and Mrs. Pashley.....David Sarnoff, Irving Berlin, Gene Tunney, Mrs. Ogden Reid, Roy W. Howard, Hon. Godfrey and Mrs. Haggard, Count Nast.....Felix Warburg, Lowell Thomas, H. V. Kaltenborn, Maj. Edward Bowes and Adam Gimbel.....

Korn's 18 Theaters Acquired by Griffith

(Continued from Page 1)

aters in 14 towns. Personnel of the theaters will only be affected to a minor degree by the change.

Garbett Des Moines Circuit Adds Kahn's Grand Theater

Des Moines, Ia.—Garbett Theater Enterprises, Inc., has added the Grand theater to its indie local chain through a partnership deal with L. H. Kahn, owner of the Grand, Kahn, operator of the house for the last 10 years and owner the last three, will continue to manage the theater which has been remodeled.

Five RKO Features Will Play on Mid-Town Screens

RKO Radio will have five features playing in mid-town houses this week. "Triple Justice" starts at the Central tomorrow, while the following day, "They Knew What They Wanted," one of the company's big ones of 1940-41, opens at the Music Hall; "I'm Still Alive" moves into the Rialto, while the Palace will double bill "The Ramparts We Watch" and "Dance, Girl, Dance." About a score of RKO shorts also will be on new Broadway bills.

Trans-Lux Houses Play American Defense Primer

"A Primer Of American Defense," propaganda short produced by National Screen Service for the Committee to Defend America by Aiding the Allies, is being currently shown at Trans-Lux houses in four key cities. Reel runs three and one-half minutes and stresses the fact that as long as the British fleet is intact we are safe in the Atlantic, urging aid to Britain so that the fleet may stay intact.

Mayer and Burstyn Will Release "Pepe Le Moko"

Arthur Mayer and Joseph Burstyn have completed a deal with Walter Wanger for the American distribution rights to the French film, "Pepe Le Moko," directed by Julien Duvivier and starring Jean Gabin. "Pepe Le Moko" is the film on which Wanger based his production of "Algiers," with Charles Boyer and Hedy Lamarr, in 1938.

Mayer & Burstyn are now preparing the English titles and the picture will open on Broadway some time during November.

Pegasus, 1940

Gene Autry and his film mount, Champion, plane into New York today from the Coast. It's said to be the first cross-country flight ever made by any horse in a regularly licensed transport plane. Trip, via TWA, started Sunday. There have been 10 stops en route.



"I WON'T DO IT, JOE!...
YOU AND ME...WE CAN'T!...
IT'D BE TOO AWFUL ON
ACCOUNT OF TONY...I'VE
GOT TO MARRY HIM!"

*you'll know what they mean,
in "They Knew What They Wanted"*

*You have played many great motion pictures . . .
We believe you have not played a greater motion
picture than this!*



Harry E. Edington, Executive Producer

Produced by Erich Pommer

Screen Play by Robert Ardrey

From the Pulitzer Prize Play by Sidney Howard



CAROLE **CHARLES**
LOMBARD★LAUGHTON

"They Knew What They Wanted"

Directed by Garson Kanin

With WILLIAM GARGAN • HARRY CAREY • FRANK FAY

KAY KYSER'S "YOU'LL
FIND OUT" NOW EDITING



Kay Kyser and his band, in "You'll Find Out," with Ginny Simms and the Ha-Ha-Horror Men — Lorre, Karloff and Lugosi, is getting the finishing touches ready for early release . . . to line up with other RKO RADIO big ones like—George Abbott's Sensational Broadway Musical Comedy Smash, "Too Many Girls"—Ginger Rogers in "Kitty Foyle"—Anna Neagle in "No, No Nanette," and Orson Welles in "Citizen Kane."

Costs Under Decree Limitless—MPTOA

(Continued from Page 1)

ville, Niagara Falls, East Aurora, Franklinton, Rochester and Buffalo are represented.

Twelve directors of MPTO Western zone which the new corporation supplanted, were continued in office, as were these officers: A. Charles Hayman, Niagara Falls, president; Merritt A. Kyser, East Aurora, vice-president; Vincent R. McPaul, Buffalo, treasurer, and Marion Gueth, Buffalo, secretary. Additional directors will be named at similar meetings in Syracuse and Albany today and tomorrow, from among whom other regional vice-presidents will be elected.

"Grief With Any Relief"

Kuykendall said the exhibitors who would be affected most adversely by the consent decree—"grief with any relief, of which there will be little"—of course were no party to the suit, but the MPTOA was giving much consideration to a proposal that it seek to intervene as amicus curiae, friend of the court. There had been no consultation with exhibitors relative to the decree, he added, and said efforts would be made to show that the decree would destroy rather than help, that cost increases would be limitless.

The MPTOA chief was especially critical of the knowledge of the motion picture industry exhibited by Government counsel, and remarked also that the courts, too, had indicated decided unfamiliarity with its ramifications and peculiarities. He also expressed the view that though Allied endorsement of the decree had been indicated, more than 90 per cent of that organization was opposed to it, for they would be in a worse position than any other exhibitors.

Slot Movies Called Menace

Nickel-in-the-slot movies Kuykendall called a new menace likely to cause a lot of trouble. James Roosevelt, he said, had intimidated his own enthusiasm for them was decreasing, but none the less the President's son was going along with his project, because of investments involved.

Non-theatrical movie shows, against which the aid of major distributors had been invoked; arbitration by boards of persons outside the industry; the radio; demands for higher admissions, which Kuykendall asserted should be handled in

Call of the Wild

Denver—The Rocky Mountain Screen Club has leased a lodge in the White River country near Meeker, and is entertaining paying guests during the deer, elk and bear season. Invitations had only been in the mail a few days when all reservations were filled. They include film and theater men from Chicago, Kansas City, Los Angeles, Dallas and Denver.

WHBL Jamboree and Dance at 20 and 35c Provides Headache for Sheboygan Exhibs.

Sheboygan, Wis.—Latest headache for local exhibitors is the WHBL Jamboree and dance being held each Wednesday night in Turner Hall here. The radio show featuring the Smoky Mt. Rubeys, Little Juney, and Ginny Grant, is staged from 8 to 9 p.m., followed by dancing to Ehler's Troubadour Specialties. Admission is 35 cents for men, 20 cents for ladies and kids under 12 free when accompanied by their parents.

Report S-W, Paramount In Philly Deadlock

(Continued from Page 1)

Unger, Eastern division chief, were here yesterday for the huddles on the season's buy. Unofficial reports indicated that an impasse, at least temporarily, had been reached.

There was some talk on Film Row that Paramount might find an outlet through a new house, to be built.

Sources close to Warners yesterday confirmed that difficulties had been encountered in the Philly negotiations; elsewhere, however, it was said the two companies' negotiations were proceeding smoothly.

Lange to Take Clipper For Europe on Thursday

(Continued from Page 1)

tion on activities has been meagre.

Lange planned to leave several week ago but experienced difficulties in obtaining visas.

Teddington to Produce 3 Pix for World Market

London (By Air Mail)—Production has resumed at Warner Bros.' Teddington studios with "An Empire is Built," based on the life of Disraeli, with John Gielgud as Disraeli as the first of three pictures scheduled. Diana Wynyard is being co-starred. Thorold Dickinson is directing.

Max Milder, in charge of Warner production here, stated that future Warner product in Great Britain will be designed for the world market. Following "An Empire is Built" will be "Atlantic Ferry," based on the history of the Cunard ship line. Title of the third film scheduled was not announced.

Mimi Tucker's Sister Killed

Mimi Tucker, secretary to Monroe Greenhalt, exploitation director of United Artists, has received word that her sister was killed when a ship on which she was traveling to the Dutch East Indies was torpedoed.

local situations rather than on a national scale, also were discussed.

Predicts Product Shortage

Kuykendall predicted a shortage of product, certainly a shortage of good product. He urged that more thought be given to means for increasing patronage, aimed particularly at that 25 per cent which some statisticians declare never go to the movies.

Looking at the exhibition field nationally, he held that now is the time for all investors in theaters to unite, to study conditions nationally, to work for the benefit of all.

First Philco Football Telecast is Effective

(Continued from Page 1)

der leadership of David Grimes, chief engineer, watched it as it was received at the Warwick Hotel here. Images were clear and it was possible to follow the ball, see the numbers on the backs of the players, and the gridiron lines.

About 60 other Philco experimental receiving sets, and about 300 sets of other makes, equipped to receive pictures over W3XE, Philco experimental station, also looked in within a 50 mile radius of Franklin Field. Camera turrets were set up at the two 20 yard lines. These were suspended from the top deck of the stands.

Nicholas Alexander, program director, decided which picture should go out. These, together with the regular sound broadcast, were transmitted by a coaxial cable to a relay transmitter W3XP, 235 feet above the ground on the roof of Convention Hall. From there the sound and images were relayed by ultra short wave to Philco's experimental station W3XE, at C and Tioga Streets, from whence it went to the receiving sets.

Zay Appeals Conviction By French Court Martial

Vichy (By Cable)—Jean Zay, former Minister of Education in the Deladier Cabinet, condemned by a military tribunal to military degradation and exile following his conviction on a desertion charge, has filed an appeal.

Zay, an army lieutenant, was found guilty of sailing aboard the steamer Massilia from Bordeaux for North Africa without the authorization of his military superiors a few days before the signing of the German-French armistice.

Zay was the sponsor of film legislation in France. He visited New York prior to the outbreak of the war.

Walter Allen Dead

Detroit—Walter Allen, 65, father of Wade Allen, owner of the Arcade and Fine Arts Theaters, is dead, a victim of influenza. He was actively associated with his son as manager at the Arcade. His widow and four children survive.

Mrs. Anna Slepksi Dead

Detroit—Mrs. Anna Slepksi, former operator of the White Star Theater, is dead. Her son, Leonard, who is connected with various local theaters, survives.

U. S. May Resume Brit. Production

(Continued from Page 1)

port and Somervell are discussing the renewal of the currency agreement which expires on Oct. 31.

Continuous bombing of all of England by Nazi raiders has increased the difficulties and hazards of picture production to the extent where a production scale large enough to meet statutory quota needs of American companies is virtually impossible, it is stated here.

It is anticipated that any new agreement will provide for much easier requirements. Nothing official has been made public regarding discussions between U. S. film company representatives and British Government officials on this subject, but official reports and logic would indicate that changes will result.

Legion of Decency Lifts Ban on "Strange Cargo"

Legion of Decency's total ban on M-G-M's "Strange Cargo" has been modified and pix has been removed from the "C" classification to "Class A, Section Two," meaning that it is "unobjectionable" for adults.

It is understood that some cuts were made to meet the approval of the Legion. This also was done in Detroit where the total ban recently was lifted.

Local 35 Signs Pacts With Detroit Studios

Detroit—Negotiations have been completed with all local studios by Local 38, IATSE, Ed King, business agent, reports. Contracts are for one year, dated as of Sept. 1. Wage scales remain unchanged, and only changes are technical, in working conditions, affecting starting and call time, with especial reference to weather conditions, etc., King said.

"Foreign Correspondent" Three-a-day in Havana

Havana (By Cable)—UA's "Foreign Correspondent" opened last night at the Smith circuit's Encanto theater. House is playing the pix on a three-a-day policy, with 60 cents top. From the Encanto the film will go to the Fausto for a regular run.

Vaude Back in Manchester

Manchester, N. H.—The Palace Theater here is resuming vaudeville Fridays and Saturdays.

That Exhibitor Urge

Denver—John Anderson, former owner of theaters at Ft. Morgan and Brush, is back in Colorado, headquartered here and looking for a chance to buy some theaters. Anderson sold his theaters twice and moved to California both times, but didn't stay long either time.

"Big Five" to Ask Decree Changes

(Continued from Page 1)

meeting in Washington was not to sign the decree, but to continue discussions on several points.

Among those who will attend the capital parley will be Nicholas M. Schenck, George J. Schaefer and Thomas D. Thacher, with a possibility also of Robert W. Perkins, J. Robert Rubin, Joseph Hazen, Dwight Shipman and Austin C. Keough. At least one representative from each of the five companies will be present. Yesterday's conference, it was said, was in preparation for the Washington meeting with a discussion on the companies' stand in the face of possible questions from Arnold.

Those attending yesterday's conference were: Philip Phillips, Joseph Hazen, R. W. Perkins, J. Robert Rubin, Thomas D. Thacher, Austin C. Keough, William Mallard and O. C. Doering.

The final decree, it was learned, will be somewhat longer than the draft already published in THE FILM DAILY but will not differ a great deal in substance. Clarification of language has caused the final draft to be more wordy. It was stressed, however, that the decree is not complete.

100 at Cuban Exhib. Dinner

Havana (By Air Mail)—More than 100 attended the National Union of Exhibitors of Cuba banquet at the Villa Maria. Officers-elect for 1941 were introduced. Among guests were Dr. Manuel Pellon, president of the Cuban Film Board of Trade; Ernesto P. Smith of the Smith circuit, and Henry Weiner, local manager for United Artists.

"Rockne" Openings Strong

"Knut Rockne—All American" set a new opening day record at the Roxy, Springfield, Ill., where it started on Saturday. Warners home office was advised yesterday by Max Tschauder, city manager for the Frisina circuit. Film also played to heavy biz at the Fox, Philadelphia, despite opposition there from the p.a. by Wendell Wilkie.

Cohen in L. A. Field

Leo Cohen has established quarters at 15 Central Park West and will acquire features for distribution in Latin-America. Cohen for years was a French film exporter and importer.

STORKS!

West Coast Bureau of THE FILM DAILY

Hollywood—Mrs. Bob Burns, wife of the film and radio star, gave birth to a son here on Sunday. Baby is couple's third child.

REVIEWS OF NEW FILMS

"Time in the Sun"

World Pictures

55 Mins.

SUPERBLY DIRECTED AND PHOTOGRAPHED HISTORICAL-SOCIAL DOCUMENTARY. A NATURAL FOR DISCRIMINATING FILMGOERS.

Based upon his unfinished film, "Que Viva Mexico," this social-historical documentary directed by the renowned Sergei M. Eisenstein, fashioner of "Potemkin," "Ten Days That Shook the World" and other outstanding productions, demonstrates the vast potentialities of motion picture technique and the ability of the screen as an informative instrument.

Essence of the footage is the centuries long journey of the Mexican Indian toward the achievement of independence. The story, portrayed in a skillful blending of episodes and symbolisms, commences with the creation of the earth and carries through to the present.

Primitive life of the people is depicted, which flowered into a culture and civilization pitifully halted by the coming of the ruthless Conquistadores. Under the merciless heel of the latter, life went on drearly, virtually hopelessly for the peon, who found solace in the adaptation of the religion and ritualistic expression of a faith bequeathed to him by his conquerors.

The strange melding of Christianity with the so-called pagan heritages is one of the most impressive attributes of the picture. Climax scenes reveal the decisive anger of the natives on the Feast of Corpus Christi which led to the fall of Diaz in 1911 and the nominal breaking of the social and genetical chains of the Indian. Picture is described as "a dramatic film symphony of Mexico."

That it is. Too, it may be viewed by some as propagandistic. Whatever side of the social issue the opus is viewed from, it is a splendidly-made and stimulating film offering which sends a pang of regret,—that Eisenstein never completed his "Que Viva Mexico." E. Tisse's photography is superb. Camera angles are painstakingly selected, and most of it is so breath-taking that it will be appreciated by professionals and laity alike.

"Time in the Sun" is both art and "of the people."

CREDITS: Producer, Marie Seton; Director, Sergei M. Eisenstein; Photography, E. Tisse; Editorial Supervisor, Paul Burnford; Script and Narration, Marie Seton, Paul Burnford; Assistant Director, G. Alexander; Assistant to the Producer, Dorothy Baldwin; Narrators, C. F. Lindsey, William Roxy; Mexican Assistants, A. Best-Maugard, Aragon-Lieva; Indian Music, Ponce Espino, Carlos Tarin; Musical Director, Ponce Espino.

DIRECTION, Superb. PHOTOGRAPHY, Excellent.

Conn. Allied to Meet Today

New Haven—Allied Theater Owners of Connecticut will meet today at 12:30 p.m., at the Hof-Brau Haus, with A. M. Schuman presiding.

NWMP Screening at Fair

Special foreign press screening of NWMP will be held tomorrow night in the Canadian Pavilion of the New York World's Fair.

"Mozart"

with Stephen Haggard, Victoria Hopper

John Loder

Mozart Film, Inc.

76 Mins.

EXHIBITION VALUE OF PIX LIMITED TO ART THEATERS THROUGH NUMEROUS FAULTS.

Possibly this film may get some sort of a reception in art theaters, but its commercial value generally is nil. The film has glaring technical errors such as spotty sound, poor photography and editing, and the story material and continuity are both weak. In addition, with the exception of John Loder, the cast is generally inept.

Stephen Haggard, Victoria Hopper, John Loder, Liane Haid, Jean Cadell and Hubert Harben are prominent in the cast. The picture was produced and directed by Basil Dean. Excerpts from a number of Mozart works are heard, with scenes from "The Magic Flute" and "The Marriage of Figaro" done in some detail.

The story itself concerns Mozart's struggles for recognition, his marriage and his trials and tribulations.

CAST: Stephen Haggard, Victoria Hopper, John Loder, Liane Haid, Jean Cadell, Hubert Harben, Frederick Leicester, Marie Lehr, Lawrence Hanray, Dierdre Gale, Pat Fitzpatrick, Norman Walker.

CREDITS: Producer and Director, Basil Dean; Original Story, Margaret Kennedy.

DIRECTION, Poor. PHOTOGRAPHY, Poor.

Howard Barnes to Review Movies, Plays for WOR

Howard Barnes, motion picture critic on the New York Herald Tribune, last night began a series of nightly "critic-at-large" programs over radio station WOR to be known as "Howard Barnes Reviews." He will review first nights of both stage and screen attractions.

His talks will last for five minutes and will be on the air at midnight from Monday to Friday inclusive. For major openings he may also go on the air on Saturdays.

RMA to Hear Tele Com. Progress Today

Progress of the National Television Systems Committee since its formation in July will be described by Dr. W. R. G. Baker, head of GE's radio and tele department, today at the meeting of the Radio Manufacturers Ass'n at the Hotel Roosevelt.

Powell-Loy for "Mr. Co-Ed"

West Coast Bureau of THE FILM DAILY

Hollywood—Metro yesterday cast William Powell and Myrna Loy for stellar roles in "Mr. Co-Ed" by Kenneth Earl, Curtis Kenyon and M. M. Musselman. It had been originally scheduled for James Stewart and Rosalind Russell. George Oppenheimer and Robert McGonigle are working on the script. Production will not start until next year.

AMPP-SAG Make New Proposal on Extras

(Continued from Page 1)

sible to fill a call with Guild members alone; that if requirements of the industry warrant it, the Guild should admit to probationary membership each year a number of young people who shall be admitted to full membership at end of one or two years only if their employment record in the industry indicates that they have the minimum qualifications for extra work; that extras who qualify for preferential employment be at once re-registered, re-described and re-classified at Central Casting; that an immediate effort be made to see that producers who are not members of the AMPP use Central's facilities for casting.

The committee's figures show that the average annual earnings of extras has increased between 1936 and 1939 but the committee points out that it is still far below the amount of money necessary to maintain an individual, much less a family of several persons.

The average number of days work per individual, among extras, in 1939 was 28.89 and average annual earnings per individual \$317.26. The report states that it would be to the benefit of the community definitely to direct this marginal group which worked 10 days or less during 1939 into looking elsewhere for regular employment and income.

The 4,564 extras who worked 10 days or less through Central Casting represent only 30 per cent of the estimated total of 15,000 extras who worked sometime during 1939.

Of 19,511 persons regularly employed in major studios as of Aug. 31, 1940, only 18 could be classified as refugees, according to information made public by Secretary Kenneth Thompson of the SAG.

Esler Heads Trade Press Div. for Community Fund

Chicago — Joe Esler, THE FILM DAILY staff correspondent here, has been named chairman of the trade paper division of the Community Fund. Harry Toler, Dorothy Nessell, Charles McNeill, Hal Tate, Hal Helperin, Nat Green and Henry Markbreit, will serve as captains in the Community Fund Drive.

Swanstrom Rites Today

Funeral services for Arthur Swanstrom, 50, Broadway producer and song writer, who died suddenly in White Plains, will be held at 2:30 p.m. today at the Universal chapel, Lexington Ave. and 52nd St.

WEDDING BELLS

Fond du Lac, Wis. — Miss Cleo Elaine Moore, who has been employed at the Fond du Lac Theater, was married to Sylvester Koenigs.



THE
WORLD WILL SOON BE
LAUGHING AGAIN!

WORLD PREMIERE TUESDAY EVE., OCTOBER 15
at the Astor and the Capitol Theatres, New York.
All seats reserved at \$2.20. Thereafter, all seats
reserved at the Astor only at \$2.20 top, while at
the Capitol, continuous showing, from \$1.10 to 75c.

Charlie Chaplin



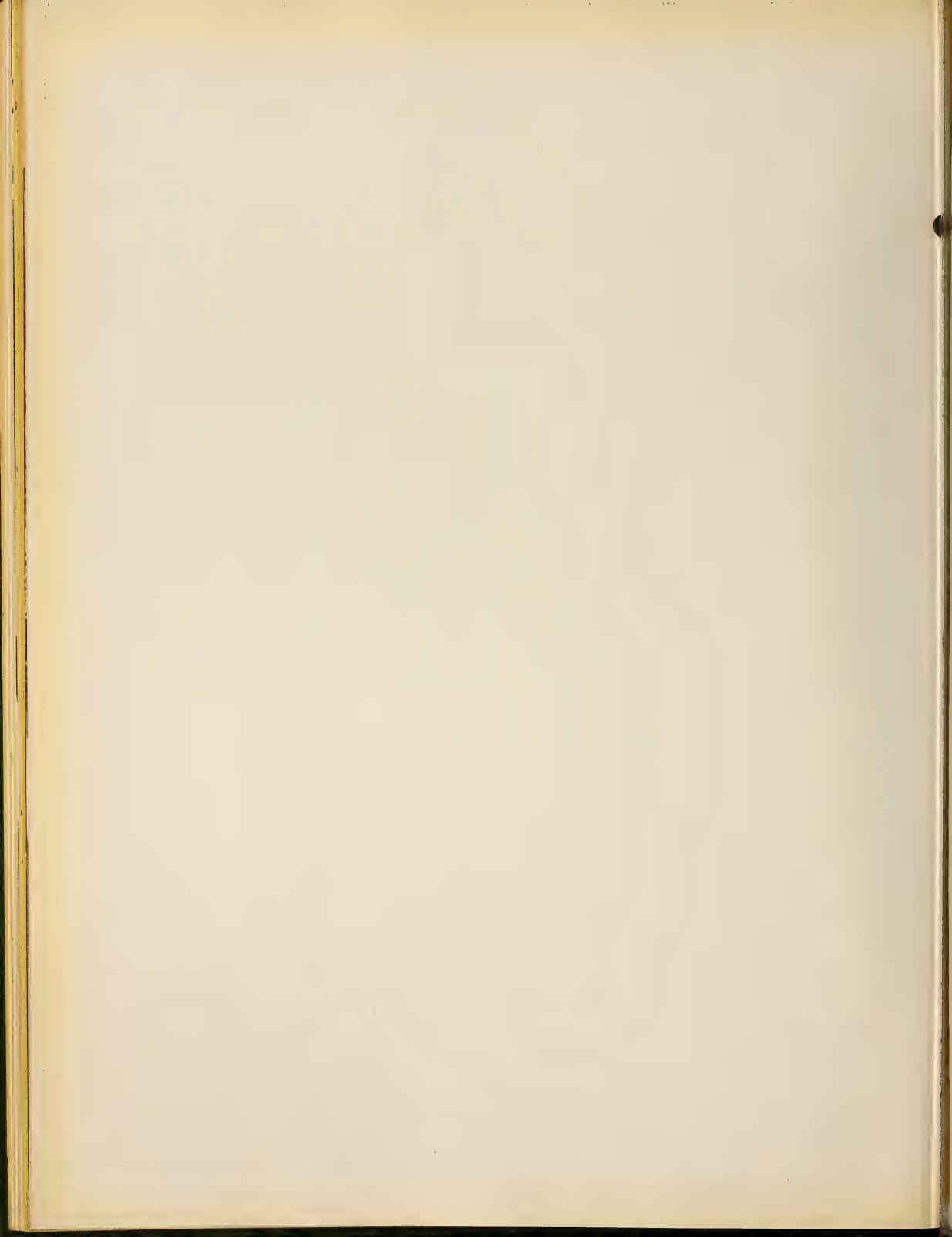
THE *Great* DICTATOR

PRODUCED, WRITTEN AND DIRECTED BY CHARLES CHAPLIN

with **PAULETTE GODDARD**

JACK OAKIE • HENRY DANIELL • REGINALD GARDINER • BILLY GILBERT • MAURICE MOSCOVICH

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A HAPPY SOLUTION TO YOUR BOX-OFFICE PROBLEMS!

4

SPECIAL ATTRACTIONS – Without exception will be veritable slices of life – and with one thought uppermost in their conception and presentation – will contain exploitation angles that pull in the masses.

16

FEATURE PRODUCTIONS – Widely diversified in discriminating audience appeal – Works of famous authors and recognized screen playwrights selected for their titles and topical value.

18

WESTERNS – Will epitomize frontier gallantry and courage, and will contain an abundance of the fundamental elements so essential to this type of screen entertainment.



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Exchanges Everywhere

STUDIOS
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LIGHTING EXPERTS

BESIDE the camera and behind the lens,
lighting experts work in perfect agree-
ment. Cameramen depend implicitly on
the ability of Eastman negative films to
bring out the best in every scene. The
beauty of modern productions is striking
evidence of the success of this partnership.
Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*

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Chicago

Hollywood

PLUS-X

for general studio use

SUPER-XX

when little light is available

BACKGROUND-X

for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 71

NEW YORK, WEDNESDAY, OCTOBER 9, 1940

TEN CENTS

RESUME DECREE DRAFTING TOMORROW GWTW's Domestic Gross Seen at \$23,500,000

Metro's Share Reported at 13 to 14 Millions, With Nearly Half to Selznick

As "Gone With the Wind" completes its final week both in New York and Chicago, the last two engagements until next year, it is estimated by reliable sources that the picture has grossed approximately \$23,500,000 in theaters throughout the U. S. and has been seen by 28,000,000 persons.

It is reported that M-G-M's share has been between \$13,000,000 and \$14,000,000, of which approximately

(Continued on Page 14)

Stein to Make Pix In U. S. for Select

Paul L. Stein, director now in London, is scheduled to make a series of pictures in the U. S. for Select Attractions, Inc., and possibly one in Bermuda. It is reported that Stein is behind a plan to have a British film company shift its production activities to Bermuda and to build a studio there.

George Richfield, representing

(Continued on Page 14)

Schenck Sees Upswing In Theater Attendance

West Coast Bureau of THE FILM DAILY

Hollywood—The coming year gives promise of increased attendance at picture theaters and improved industry conditions, Joseph M. Schenck stated yesterday, following conferences held by Sidney R. Kent, Darryl F. Zanuck, William Goetz and

(Continued on Page 15)

Coast Execs. Honor Mayer at Dinner

West Coast Bur., THE FILM DAILY
Hollywood—A dinner honoring Louis B. Mayer, chairman of motion picture industries community chest drive will be held at Victor Hugo's today. Eighty executives representing studios, unions, guilds and crafts will attend to discuss program for launching the 1940 chest drive.

WB SERVICE MEN TOLD JOBS SAFE

Salary Allowance, Other Financial Aid Possible Under Plan
Announced by H. M. Warner

All employees of Warner Bros. who are drafted or who are members of the National Guard, will be given their jobs back or similar positions at the expiration of their military service.

This was announced here yesterday by Prexy Harry M. Warner, who stated that the Warner employees would be given a special leave

of absence for the period of their active duty.

In addition, all employees who have been with the company over one year will receive two weeks' extra salary when reporting for duty; consideration will be given to the payment of a monthly sum to the employee or his dependents, such sum

(Continued on Page 14)

Allied Behind '8' Ball, 7 Nazi Bombs Fire Kuykendall Asserts Teddington Studios

Syracuse, N. Y.—Allied is "behind the eight ball" in the consent decree situation. Ed Kuykendall, MPTOA prexy, told Syracuse and vicinity exhibitors at a meeting in the Hotel Syracuse here yesterday. Assemblage was composed largely of former members of the old New York Allied unit here.

Kuykendall asserted that Abram

(Continued on Page 7)

Hearing in Shapiro Trust Suit Set for November 7

Philadelphia—Hearing in the anti-trust suit brought by Ruben Shapiro, who operates the Admiral Theater, against Warner Bros. theaters and major companies, which was in-

(Continued on Page 14)

Cuban Agreement in Sight Hear Terms Acceptable to U. S. Distribs.

French Censorship Will Regulate Export Films

Vichy (By Cable)—The Petain Government proposes to exercise strict control over film exports, and will employ censorship to regulate the type of pictures to be offered in the international market.

Text of the proposed decree has been submitted to the Cabinet.

Warners' British studios at Teddington were struck by seven incendiary bombs during a Nazi air raid, it was learned yesterday.

Thanks to efficient work by studio employees and by fire fighters, the resulting flames were quickly brought under control. No Teddington workers were injured, according to home office advices from Max Milder, and

(Continued on Page 7)

Townsendites Buying Hundreds of Projectors

Chicago—The Townsend Plan is in film biz.

Film division of the national Townsend old age pension organization, which claims 2,000,000 members in

(Continued on Page 14)

Report Proceedings as "Amicable" and on a Satisfactory Basis

Washington Bureau of THE FILM DAILY

Washington—With several ranking motion picture executives flying to the capital to join in lengthy conference at the Justice Department to iron out the consent decree in the New York equity suit, the industry-Government confab broke up last night after the conferees agreed on a series of future meetings starting tomorrow at

(Continued on Page 16)

Indo-China Film Shipments Halted

Because of the current crisis in the Orient, film shipments to Indo-China have been suspended temporarily, it was reported yesterday by Massee, Barnett & Co., film forwarders.

Meanwhile, shipments to Europe

(Continued on Page 15)

Tele Standards Pressed For Jan. 1 Completion

Despite the complicating factor presented by CBS's introduction of color television, progress on tele

(Continued on Page 16)

'Long Voyage Home' Ace Entertainment

His 1940-41 banner already festooned with the fresh and rich garlands of "Foreign Correspondent," Walter Wanger releases via UA another entertainment bombshell in the John Ford production of Eugene O'Neill's "The Long Voyage Home" which last night had a gala premiere at the Rivoli here before an audience replete with notables.

It is a powerful, realistic vehicle, human and dramatic from main title to finish, and in this span, despite the episodic nature of the story, which is typically O'Neill, the action, acting and direction are of such transcending quality and interest that, on one count or another, the gilded cinematic idol, Oscar, may already be practicing for a future smile. Put it down as ace entertainment for all houses. For full review, turn to Page 8. For premiere report, see Along the Rialto, Page 7.)

—MORRIS

THE Film DAILY

Vol. 78, No. 71 Wed., Oct. 9, 1940 10 Cents

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DONALD M. MERSEAU : : : : General Manager

CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Tuesday, Oct. 8)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seab.	8 1/8	8 1/8	8 1/8	+ 3/8
Col. Pict. vts. (21 3/4)	5	5	5	—
Columbia Pict. pfd.	20 1/2	20 1/2	20 1/2	+ 3/4
Con. Fm. Ind.	—	—	—	—
Con. Fm. Ind. pfd.	—	—	—	—
East. Kodak	134 1/2	133	133	- 1/2
do pfd.	—	—	—	—
Gen. Tel. Eq.	—	—	—	—
Loew's, Inc.	26	25 5/8	25 5/8	- 7/8
do pfd.	—	—	—	—
Paramount	7 1/8	6 7/8	6 7/8	- 1/4
Para. 1st pfd.	86	85	85	- 1/2
Para. 2nd pfd.	8 3/4	8 1/2	8 1/2	- 1/8
Pathe Film	9 3/4	9 1/2	9 1/2	- 1/4
RKO	2 3/8	2 1/4	2 1/4	- 1/8
20th Century-Fox	6	5 7/8	5 7/8	- 1/8
20th Century-Fox pfd.	—	—	—	—
Univ. Pict. pfd.	—	—	—	—
Warner Bros.	2 3/8	2 1/2	2 1/2	—
do pfd.	—	—	—	—

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4	
Loew's deb. 3 1/2 1/4	
Para. B'way 3 5/8	48 47 3/4
Para. Pict. 6 5/8	91 91
Para. Pict. cv. 3 1/2 1/4	91 91
Warner Bros. dbs. 6 1/8	

NEW YORK CURB MARKET

Monogram Pict.	—	—	—
Sontone Corp.	—	—	—
Technicolor	9	9	9
Trans-Lux	—	—	—
Universal Corp. vtc.	—	—	—
Universal Pict.	6 1/2	6 1/2	6 1/2

Columbia to Pay 68 3/4

Columbia's Board has declared a regular quarterly dividend of 68 3/4¢ per share on the \$2.75 Convertible Preferred Stock of the company, payable Nov. 15, to stockholders of record, Nov. 1.

Join "Lady Eve" Cast

West Coast Bureau of THE FILM DAILY Hollywood—Paramount has added Eric Blore, William Demarest and Robert Grieg to the cast of "Lady Eve" which will enter production on Monday.

Pittsburgh Variety Club Names Kellenberg Barker

Pittsburgh — The Variety Club elected the following officers for 1941 at the annual meeting: Chief Barker, C. C. Kellenberg, 20th Century-Fox; First Assistant, Bertus Bishop, Jr., M-G-M; Second Assistant, M. N. Shapiro; treasurer, Mort England; secretary, Al Weiblinger.

Named to the board of directors were James Balmer, Brian McDonald, Elmer Ecker, M. A. Rosenberg, Tony Stern, Mike Gallegher. As delegates to the National Convention Harry Thomas and James Tottman were elected, with alternates, John T. McGreevey, Brian McDonald.

Hellborn and Rich New Exploiters for Metro

Two additions to Metro's staff of field representatives were announced yesterday. Louis Hellborn has been appointed exploitation representative in the Omaha and Des Moines territories, and Gene Rich has been assigned as assistant to W. G. Bishop in the Chicago territory. Hellborn, who will make his headquarters at M-G-M's Omaha exchange, succeeds H. W. Lambert, while Rich's appointment fills the vacancy caused by the transfer of Norman W. Pyle to Minneapolis.

Wieland-Lewis, Warners Co-op for Free Parking

Atlantic City—The Wieland-Lewis group and the Warners Circuit hit a new co-op high when the avenue theaters of these two companies joined in taking over a big parking lot to provide free parking for patrons. Houses are the Colonial and Embassy, located in center business district, where hour parking meters are installed. The Waxman Hollywood theater countered with an indoor parking plan, free to patrons.

Col. Donovan to Speak in Rochester Monday

Rochester—Col. William J. Donovan will address Group II, New York State Bankers Association, here next Monday. Arrangements for the address were made by Maj. Edward P. Curtis, sales manager, motion picture film dept., of Eastman Kodak Co., and a director of a local bank.

"Let George Do It" Will Open at the Globe Oct. 19

George Formby British starrer, "Let George Do It," which Film Alliance of the U. S. is distributing on this side, will open at the Globe here on Oct. 19.

Bert Stoddard Dead

Syracuse, N. Y.—Funeral services will be held here today for Albert Dussing, 55, professionally Bert Stoddard, vaudevillean and orchestra leader.

New Naylor-Segredo Firm Takes Hoffberg Pix in Cuba

Deal has been closed between Hoffberg Productions, Inc., and Cia. Nacional De Peliculas S. A. whereby the newly formed Cuban distributing company will handle 31 Hoffberg releases in that territory on a franchise basis. New Cuban firm was organized by George Naylor, Universal branch manager in Havana for nearly 15 years, and Jose Segredo.

Cia. Nacional has also purchased some other independent product for distribution in Cuba. Naylor and Segredo are currently in New York, making their headquarters at Hoffberg's New York office.

Menchen, Who Introduced Miniatures in Pix, Dead

West Coast Bureau of THE FILM DAILY

Hollywood—Masonic funeral services were held yesterday for Joseph L. Menchen, 60, who died of a heart attack. He was the first man to introduce miniatures into motion picture production and played an important part in the development of the screen.

For 10 years he confined his business activities to managing rights to the "Arsene Lupin" stories. Recently he completed inventing a tracer bullet, liquid fire and an aerial torpedo fighter which is ready to be turned over to the government.

38 More U. K. Youngsters Find Eastman Sanctuary

Rochester — Thirty-eight British children, destined for homes with Eastman Kodak workers' families for the duration of the war, arrived here over the week-end. They comprise the second batch of youngsters sent here from English Kodak workers' homes.

N. Haven Subsequents Up Price 5c for "Boom Town"

New Haven — The Loew-Poli-Biou, downtown subsequent, and the Dixwell Playhouse, Fishman nabe, will play "Boom Town" at five cent advance in admission plus tax, beginning tomorrow. Top will be 33 cents in both houses.

"Rockne" Tops in South Bend

South Bend, Ind.—Running 25 per cent ahead of "The Fighting 69th," Warners' "Knut Rockne—All American" is giving the Colfax here a new high gross. Pix continued at the Colfax following its quadruple opening Friday night.

Rosenthal Suit Dismissed

Louisville, Ky.—Order dismissing the suit brought by William Rosenthal against George Settos and Frank M. Krapp to dissolve the Settos Theaters partnership was filed here yesterday.

COMING and GOING

GEORGE J. SCHAEFER leaves for the Coast in the near future.

BUSBY BERKELEY, Metro director, returns to New York today after a brief visit to Boston.

JOE NADEL, production manager for Boris Morros, returns to Hollywood Friday.

JIMMIE FIDLER is stopping at the Warwick.

CHARLES LAUGHTON left the Coast yesterday for Chicago to make a p.a. there at the opening of RKO's "They Knew What They Wanted." He will also visit Detroit before arriving here.

SABU and JUNE DUPREZ leave Hollywood Saturday for Warm Springs, Ga., to attend the world premiere of "The Thief of Bagdad" there Monday.

ROCHELLE HUDSON, JEAN PARKER, ISABEL JEWELL, LYA LYS, BETTY JANE COOPER and JEAN GARY are arrivals from the Coast.

BETTE DAVIS returns to Hollywood this week.

FRED LANGE, Paramount's continental European director, Clippers out tomorrow for Lisbon.

SOL SIEGEL is scheduled to leave the Coast the latter part of this week for a vacation here.

W. RAY JOHNSTON is in town for a few days.

EDWARD GOLDEN, Monogram sales chief, leaves Sunday for the Coast via several key cities.

GEORGE RICHFIELD, representing Select Attractions, flies to London last week-end.

PAUL STEIN, director, is expected here from London next month.

EDWARD P. "TED" CURTIS sales manager of Eastman's motion picture film department, is in New York for a short stay.

ROBERT J. McDONALD, A. RONALD BUTTON and CHARLES L. GLETT of William Dieterle Productions leave for the Coast Friday.

GEORGE KRANZ of Select left New York last night on a five weeks' trip which will take him to the Coast and back; first stop is Cleveland.

Glett With Dieterle As Associate Producer

Charles L. Glett, who will function as associate producer for the new William Dieterle Productions which will release through RKO Radio, returns to Hollywood Friday, following business conferences here. Accompanying him will be Robert J. McDonald, vice-president, and A. Ronald Button, secretary-treasurer, of the new corporation.

Icy Opposition Nears

San Jose, Calif.—San Jose theaters will have new competition starting this month with the completion of the new \$100,000 "ice bowl," skating ring.



From THE FILM DAILY to Irving Cummings
Marjorie Beebe
Jeanette Loff
Dennis J. Shea

One Thousand and One Sights From the Thousand and One Nights!

The winged arrow of the Thief of Bagdad flies to its mark! Jaffar, Prince of Evil, galloping his magic horse through the clouds high above the jewelled towers of Bagdad, topples from his golden saddle... falls! An amazing moment in the most amazing motion picture ever filmed... with all the wonders of the Arabian Nights in spectacular magic Technicolor!

**SO BIG—THAT IT HAS TO BE
ROAD-SHOWED AT
\$2.20 TOP**

Alexander Korda presents

THE THIEF OF BAGDAD

in Magic Technicolor!

CONRAD VEIDT • SABU • JUNE DUPREZ • JOHN JUSTIN • REX INGRAM • MARY MORRIS

Released thru United Artists

romance! Spectacle!



THRILL to the masked magician who turns a prince to a beggar... a boy into a barking dog!



THRILL to the all-seeing eye!... Guarded by fierce "Green Men"... the 1,000-tentacled octopus!



THRILL to the mountainous Genie! Towering into the clouds... yet at the mercy of a mere boy!



THRILL to the wondrous web! Abu fights the monstrous Spider King!

Road map to exciting adventure
in the most spectacularly beautiful
picture ever filmed

ALEXANDER KORDA presents

The THIEF of BAGDAD

IN TECHNICOLOR

with SABU · CONRAD VEIDT · JUNE DUPREZ · JOHN JUSTIN

Released thru United Artists

The city of Gold

The flying carpet

The Djinni of the bottle

The mysterious Princess

The escape from prison





The fabulous flying horse

Escape from the magic valley

The Prince and the Princess

Captured by bandits

The wicked magician

The magic army arises

Transformed to a dog

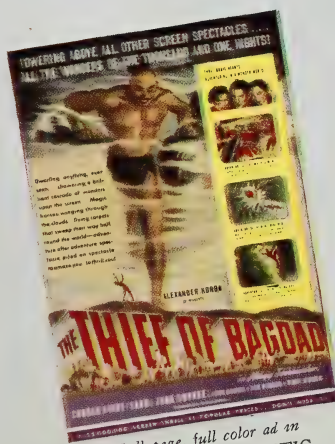
***millions reading
about it...millions
waiting for it...***



Full page, full color ad in
WOMAN'S HOME COMPANION



Full page, full color ad in
LIFE



Full page, full color ad in
LOOK and SCHOLASTIC



Full page, full color ad in
STAGE

7 Nazi Bombs Fire Teddington Studios

(Continued from Page 1)

no interruption in production was necessary.

Before the cameras is "An Empire Is Built," co-starring John Gielgud and Diana Wynyard, with Thorold Dickinson directing.

British National Quarters Wrecked by Nazi Bombers

London (By Air Mail)—British National is now located temporarily in the Rock Studios, Elstree, following destruction of its own quarters by a Nazi bomb.

Distributors of films are evacuating their London offices due to the German bombings. ABFD has removed all departments to the Ealing studios, Ealing Green. Paramount has moved all non-essential departments to Maidenhead, with the rest remaining in London. United Artists has established its office at Gerrards Cross, but with the London branch sales office, publicity, posters and advertising accessories remaining in London.

RKO Radio has established its head office at its Elstree headquarters. Staff personnel, with the exception of the London sales branch and the publicity department, will headquarter at the Imperial Studio, Boreham Wood.

Equity Appoints Member On Army Entertainment

Actors Equity yesterday appointed Maida Reade to confer with officials of the morale division of the War Department on how the stage can help in providing entertainment for the men in service.

Members of Equity serving in the Army, Navy or Marines will be excused from paying dues, although the suggestion was made that such members seek an honorary withdrawal card.

Team Paulette Goddard, Boyer

West Coast Bureau of THE FILM DAILY Hollywood—Paulette Goddard and Charles Boyer will be co-starred in "Hold Back the Dawn" which Arthur Hornblow, Jr., will produce for Paramount. Miss Goddard will not be free until she finished in James Roosevelt's U. A. pix, "Pot o' Gold."

WB Buys "Gentle People"

West Coast Bureau of THE FILM DAILY Hollywood—Warner Bros. yesterday bought screen rights to Irwin Shaw's Broadway play, "Gentle People."

Chi. Censors Reject Three in Two Months

Chicago—Local censor board eyed 256 films during August and September and rejected only three, "pinked" five for adults only and made a total of 91 cuts, according to Lieut. Harry Costello. Footage passed upon totalled 897,000 feet.



● ● ● PREMIERES are habitually described as "gala".....We've never heard of one that wasn't thus tagged.....Therefore, because of the unusual nature of the goin's on.....at the renowned Rivoli last night.....it is incumbent in the interest of accuracy.....to report the event as super-special gala.....Though fog swept into Manhattan from the adjacent sea.....it merely provided atmosphere.....for the world bow of Walter Wanger's "The Long Voyage Home".....a glorious, virile picturization of a group of Eugene O'Neill blue water cameos.....

● ● ● BATHING the Rivoli's classic facade.....were the powerful sunlight arcs of Charlie Ross.....our local industry's foremost exponent of the thesis "Let There Be Light".....There was.....although the beams borne from the Ross dynamo-laden trucks.....had plenty of opposition from the natural brilliance of the guests.....whom UA and Jimmy (Rivoli Manager) Dunn culled from Blue Book, Social Register and Who's Who ranks.....—the creme de la creme of First Nighters.....

● ● ● INDUSTRY-ITES and others packed the auditorium.....among them Ned E. Depinet, Herman Wobber, H. M. Warner, Leo Spitz, Murray Silverstone, Sam Dembow, the Brands, Max A. Cohen, Tom Connors.....Charles E. McCarthy, Lynn Farnol, Bob Gillham, Jack Alicocate, Joe Unger, Walter Vincent, Clayton Bond.....Harry Gold, Leonard Goldenson, Harry D. Buckley, Jon Hall, Frances Langford, Joe E. Brown, Arthur W. Kelly, Andy Smith.....John Garfield, Priscilla Lane, Dave Bernstein, Joe Vogel, Maj. Edward Bowes, Lowell Thomas, Jules Brulatour, Hope Hampton, Don Merzserau, Lilian Bond.....David Sarnoff, Irving Berlin, Walter Brennan, Chester B. Bohn, Eric Pommer, Eddie Cantor, Loretta Young, H. V. Kaltenborn.....Joan Bennett, Mrs. Ogden Reid, Roy W. Howard, Conde Nast, Ralph Bellamy, Col. and Mrs. Julius Ochs Adler, Hon. Godfrey and Mrs. Haggard, Felix Warburg.....and, of course, that very, very noted gent Sir Donald Duck.....whose antics in "Put Put Trouble".....roundly entertained the onlookers as a preliminary.....to the thrilling "main bout".....

● ● ● ALAS!.....GWTW's departure on the approaching 13th.....is emotion provoking.....not merely because it had become a handsome fixture on Old Broadway.....but in this corner's opinion.....because it won a glorious battle.....All through the run.....the scale of 75c-\$2.00 prevailed.....And that was not all.....It proved its "class" by even having to run in opposition to itself.....roadshowing while it was also playing in local firsts and other leading situations!.....Yep, the Superman of filmland.....has been GWTW.....and it has only just begun to fight.....

● ● ● STUFF:.....Mary Duffy, formerly associated with Crowell Publishing Co. and more recently with MIA Publications and Movie & Radio Guide, has joined the staff of Tom Fizdale, Inc., and'll work out the Chi. office.....Metro is giving a screen test this week to Edna Sedgwick o' "Boys and Girls Together".....A big hand for M. G. Lee of Lee Theaters down South 'cause he hobby-raises flowers and gives the whole annual crop away to hospitals, sick folks etc. in a hail dozen or so Alabama and Georgia towns.....

Allied Behind '8' Ball, Kuykendall Asserts

(Continued from Page 1)

F. Myers, Allied's general counsel, had involved Allied in the mess and declared that both the Department of Justice and Myers wanted "to drop the hot baby in Judge Goddard's lap."

As for the MPTOA's position, Kuykendall affirmed, "We may be forced to accept the proposed consent decree, but we will never agree to it." He predicted several districts would never sign.

The exhib. leader went extensively into trade problems. He predicted a shortage of product "in the next few months," and saw longer runs forced as a result, with eventually exhibitors being confronted with "type pictures for type theaters."

Kuykendall, turning to needed reforms, asserted that reasonable cancellations would eliminate many evils. He held distributors responsible to a great extent for the present confusion in industry ranks.

Ascap's practices were described by Kuykendall as a "racket, pure and simple."

Turning to the admission price problem, the MPTOA prexy warned that if too many exhibs. cut to 20 cents revision of the tax measure is inevitable.

Kuykendall was introduced by A. Charles Hayman, of Buffalo, prexy of the MPTO of Western New York. Sidney Pfeifer, Buffalo attorney for the unit, led the informal discussion which followed Kuykendall's talk. The MPTOA chief goes to Albany to speak before another meeting today.

Whether Syracuse exhibs. are to form a MPTO unit will be determined at a parley to be called later.

Siamese Feature Aims At American Market

Bangkok, Siam (By Air Mail)—American distribution will be sought for a Siamese feature, with English dialogue, just completed by the Thai Film Co. Historical in theme, picture was made at the instigation of the Minister of Finance.

Wall Named Conciliator

Chicago—Jack Wall, business agent for the Peoria Operators Local 183 has been named a labor conciliator on the Illinois State Labor Board under Marty Durkin, state director.

STORKS!

Joseph Nadel, production manager for Boris Morros, now in the East, is a grandfather. Son was born to his daughter, Mrs. Charles Metzger, on the Coast. New arrival has been named Michael Donald, with Morros serving as godfather.

★ ★ ★ REVIEWS OF THE NEW FILMS ★ ★ ★

"The Long Voyage Home"

with John Wayne, Thomas Mitchell, Ian Hunter

UA-Wanger 105 Mins.

BRILLIANTLY DIRECTED SEA SAGA WHOSE ACTING AND ACTION MAKE IT ACE ENTERTAINMENT FOR ALL HOUSES.

His 1940-41 banner already festooned with the fresh and rich garlands of "Foreign Correspondent," Walter Wanger releases via UA another entertainment bombshell in the John Ford production of Eugene O'Neill's "The Long Voyage Home." It is a powerful, realistic vehicle, human and dramatic from main title to finish, and in this span, despite the episodic nature of the story, which is typically O'Neill, the action, acting and direction are of such transcending quality and interest that, on one count or another, the gilded cinematic idol, Oscar, may already be practicing for a future smile.

The screenplay recounts the voyage of the British tramp, Glencairn, from the West Indies to Baltimore and thence to England. Prior to spanning the Atlantic, on the long voyage home, she takes aboard a cargo of munitions,—a circumstance which turns the natural "beefing" of the crew into a case of genuine jitter.

Fears are amply realized, for not only does a heavy gale test the mettle of the ship, and the mountainous waves hurtle Ward Bond on the seething deck to bring him death via a broken rib puncturing his lung (his demise is one of the memorable scenes), but a Nazi bomber swoops from the skies off Britain to drop its deadly sticks on the Glencairn, peril the explosive cargo, and, in the attack, machine-gun the vessel, killing Ian Hunter who is going home to his wife and children.

Safely in port after the harrowing crossing, the balance of the motley crew set their collective course to see that John Wayne gets safely home to his aged mother in Sweden. This is finally effected but only after a gripping climax wherein he is Shanghaied in a filthy waterfront pub, but rescued by his shipmates, one of whom, Thomas Mitchell, is victim of the impressive practice. The latter's vessel is torpedoed a few hours later in the Channel.

The saga's finish depicts the remainder of the Glencairn's crew re-shiping,—the soul of a sailor ever and inevitably returning to the sea. "The Long Voyage Home" is a splendid document of blue water and life thereon,—a diary of excitement, drudgery, animal instincts, tenderness, heartedness, bestial behavior, strength and weakness, hope and fear.

The footage is pitched down to earth and footage to the sea. Accordingly, it is fine audience fare, whether the scenes are those of the boisterous "party" twist the crew and the women of easy virtue at a West Indian port; life in the forecastle or the burial at sea, when a howling wind drowns the reading of the simple service.

In addition to the players already mentioned, Barry Fitzgerald, Wilfred Lawson, Mildred Natwick, John Qualen, et al, give splendid performances. John Ford's direction is superb at all times, and Gregg

"Blondie Has Servant Trouble"

with Penny Singleton, Arthur Lake, Larry Sims

Columbia 70 Mins.
PLENTY OF FUN, THRILLS AND MYSTERY MAKE PIX AGREEABLE FAMILY FARE.

Blondie, Dagwood and Baby Dumpling Bustead are at their best in Columbia's latest release, based on the well known newspaper comedy strip. There is plenty of fun in the picture, quite a few thrills and quite a little mystery, all of which is neatly worked together in a well-gear script. Exhibitors have plenty of exploitation angles to sell the picture and have additional advantage of the pre-selling done by the newspaper strip.

Penny Singleton, Arthur Lake and Larry Sims perform ably as the Busteads. Daisy the pooch is back, and Danny Mummet, Jonathan Hale, Arthur Hohl and Esther Dale are helpful in supporting roles. Frank R. Strayer handled the directorial chore with dispatch, and the neat screenplay was contributed by Richard Flournoy.

A typical Bustead quarrel develops over Miss Singleton's insistence on having a maid. Lake hits his boss, Hale, for a raise, but Hale counters by providing servants if the Busteads will live on an estate that he is handling which is rapidly losing value due to stories about it being haunted. With that as a starter, secret panels and what-nots shortly play their part in the general confusion that ensues, all of which is entertaining.

CAST: Penny Singleton, Arthur Lake, Larry Sims, Daisy, Danny Mummet, Jonathan Hale, Arthur Hohl, Esther Dale, Irving Bacon, Ray Turner, Walter Soderling, Fay Helm.

CREDITS: Produced by Columbia; Director, Frank R. Strayer; Screenplay, Richard Flournoy; Story by Albert Duffy based on the newspaper comic strip created by Chic Young; Cameraman, Henry Freulich; Editor, Gene Havlick.

DIRECTION, Good. PHOTOGRAPHY, Good.

Toland's photography is a stirring sight throughout.

CAST: John Wayne, Thomas Mitchell, Ian Hunter, Barry Fitzgerald, Wilfred Lawson, Mildred Natwick, John Qualen, Ward Bond, Arthur Shields, Joseph Sawyer, J. M. Kerrigan, Rafaela Ottiano, Carmen Morales, Carmen d'Antonio, David Hughes, Billy Bevan, Cyril McLaglen, Douglas Walton, Constantine Romanoff, Edgar "Blue" Washington, Lionel Pope, Jane Crowley, Maureen Roden-Ryan.

CREDITS: Walter Wanger presents John Ford's production of Eugene O'Neill's "The Long Voyage Home"; Director, John Ford; Author, Eugene O'Neill; Adaptation, Dudley Nichols; Music by Richard Hageman; Musical Director, Edward Paul; Director of Photography, Gregg Toland; Art Director, James Basevi; Film Editor, Sherman Todd; Special Effects, R. T. Layton, R. O. Binger; Interior Decorations, Julia Heron.

DIRECTION, Superb. PHOTOGRAPHY, Brilliant.

"They Knew What They Wanted"

with Carole Lombard, Charles Laughton, William Gargan

RKO Radio 96 Mins.
SPLENDID DRAMATIC STORY, EXCELLENT PERFORMANCES AND EXPERT DIRECTION; PIX SHOULD BE BIG AT B. O.

Producer Erich Pommer and Director Garson Kanin have created a strongly dramatic and excellently enacted screenplay from the late Sidney Howard's great stage play, the picture holding strong box-office potentialities. The story is definitely different, and it has been depicted with daring and finesse. Exhibitors have two outstanding "names" to sell in Miss Lombard and Laughton, while the story itself offers numerous exploitation possibilities.

The picture can easily qualify as one of the best dramatic efforts of recent years. At the same time, it is quite definitely an adult film, theme, characterizations and dialogue alike designed for adult audiences. There is homely philosophy, there is all the vast goodness of the fertile soil—and the picture brings you close to it—and then there is savage passion which wreaks destruction. The various elements of the picture are nicely constructed and neatly contrasted. The impending feeling of tragedy is carried smoothly along in an undertone which finally breaks into the open. Suspense is admirably maintained.

Too much cannot be said for the performances of the cast. Miss Lombard is vivid and sympathetic in the role of a waitress who wants to get married, not necessarily for love, but for a purpose, to have a home and children, to try and be a good wife to a man, and know security. Laughton is fine as an Italian grape owner in California's famed Napa Valley. His accent is good, his make-up convincing, and his performance generally fine. However, there are several scenes where a little historic restraint might have been helpfully employed.

Surprise performance of the picture is contributed by William Gargan, who deserves all sorts of applause for his splendid play. Cast as an illiterate, self-confessed wanderer who doesn't care to get to know people, yet likes the girls, he gives Miss Lombard and Laughton more than a run for their money for acting laurels. Harry Carey and Frank Fay contribute nicely shaded supporting roles that are important to the story. The remainder of the cast is very much on the plus side.

Pommer has stinted nothing in production value to give the picture authenticity and the best to be had in the way of technical skill. Garson Kanin directs the story deftly, with a sincere feeling for the story, which he skillfully keeps together at all times without any awkward lapses or jumps as it smoothly rolls to its conclusion. Photography of Harry Stradling is also worthy of comment, with some of the shots taken in the early morning notable additions to other fine Hollywood camera jobs. Musical score of Alfred Newman is a further complement to the picture's all-around top-flight quality.

Story in brief is as follows: Laughton goes to Frisco, sees Carole and falls for

"Drums of the Desert"

with Ralph Byrd, Lorna Gray, Mantan Moreland

Monogram 64 Mins.
(HOLLYWOOD PREVIEW)

FRENCH FOREIGN LEGION STORY WITH FRESH ANGLES SHOULD SATISFY POP AUDIENCES.

Producer Paul Malvern and Director George Wagner have done good work in presenting a French Foreign Legion story that has some fresh angles. Their melodrama has welcome comedy relief supplied by a troupe of parachute-jumping Senegalese.

Ralph Byrd gives a convincing performance as a French lieutenant, who is in charge of the dusky soldiers. Lorna Gray is decorative and capable, while Peter George Lynn also does good work. Mantan Moreland, the colored comedian, turns in an exceptionally clever performance. William Castello is sufficiently suave and disarming as a native chieftain. Jean Del-Val, Ann Codee, Albert Morin, Neyle Marx and Bud Harris are among the principals.

On board ship to Algiers, Byrd meets and falls in love with Lorna Gray, who is to join her fiancé, Lynn, Byrd's close friend. After Marx, Castello's young brother, is executed for leading an attack on the legionnaires, Castello traps Byrd and Lorna. Lynn has been told by Ann Codee, wife of the post's commander, of Lorna's new love for Byrd, but in real true soldier fashion, he goes to their rescue. He is slain, but Lorna and Byrd are saved.

CAST: Ralph Byrd, Lorna Gray, Mantan Moreland, Peter George Lynn, William Castello, Jean Del-Val, Ann Codee, Boyd Irwin, Neyle Marx, Albert Morin, Charles Townsend, Jack Chafe, John Stark, Bud Harris.

CREDITS: Producer, Paul Malvern; Director, George Wagner; Author, John T. Neville; Screenplay, Dorothy Reid and Joseph West; Cameraman, Fred Jackman, Jr.; Editor, Jack Ogilvie.

DIRECTION, Good. PHOTOGRAPHY, Good.

her. He gets his foreman, Gargan, to write to her and propose. Finally, Laughton sends a picture of Gargan instead of himself so that Miss Lombard thinks Gargan is her future husband when she arrives in Napa. Gargan and Miss Lombard have an affair. The marriage is due to take place when Laughton recovers from two broken legs, but she discovers she is to have a baby. Gargan leaves after offering to marry her and being beaten by Laughton. She departs too, but with a priest, Fay, who promises Laughton he will bring her back after she is made to understand Laughton still would marry her. The picture ends on a high note of drama, which climaxes a great deal more drama than has been skillfully pyramided to a conclusion.

CAST: Carole Lombard, Charles Laughton, William Gargan, Harry Carey, Frank Fay, Joe Bernard, Janet Fox, Lee Tung-Foo, Karl Malden, Victor Kilian.

CREDITS: Producer, Erich Pommer; Director, Garson Kanin; Screenplay, Robert Ardrey; From a play by Sidney Howard; Cameraman, Harry Stradling; Editor, John Sturges; Musical Score, Alfred Newman.

DIRECTION, Fine. PHOTOGRAPHY, Excellent.



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Here comes a glamorous
new world of talent,
youth, beauty and song,
in

GEORGE ABBOTT'S TERRIFIC BROADWAY

Kissable co-eds by the score . . . romance sparkling in a river of rhythm . . . Fun, fight, football—even cowboys! . . . More story, more songs, more dancing, more laughs, more of everything folks want than you've ever had in a musical! . . . AND THAT KIND OF A SHOW IS BIGGEST BOX-OFFICE OF ALL, RIGHT NOW!



MUSICAL HIT!



MY GIRLS!



**EIGHT
RODGERS AND HART SONG
HITS OF ANYBODY'S TOP TEN:**

"Love Never Went To College"—"I Didn't
Know What Time It Was"—"Heroes In
The Fall"—"Pottawatomie"—"Look Out"
—"Spic and Spanish"—"You're Nearer"—
"Cause We Got Cake"

with top talent from the stage show and Hollywood
**LUCILLE BALL • RICHARD CARLSON • ANN
MILLER • EDDIE BRACKEN • FRANCES
LANGFORD • DESI ARNAZ • HAL LEROY**

Produced and Directed by **GEORGE ABBOTT**

HARRY E. EDINGTON, Executive Producer
Screen Play by JOHN TWIST





YOU'LL BE SEEING GINGER
SOON AS "KITTY FOYLE"

Ginger Rogers, as America's white-collar Girl, in Christopher Morley's "Kitty Foyle," now in production as one of the forthcoming big RKO RADIO shows, which include pictures like Carole Lombard and Charles Laughton in "They Knew What They Wanted" — Kay Kyser and his band in "You'll Find Out" — Anna Neagle in "No, No Nanette" and Orson Welles in "Citizen Kane."

REVIEWS OF THE NEW FILMS

"Mexican Spitfire Out West"

with Lupe Velez and Leon Errol
RKO Radio 76 Mins.

(HOLLYWOOD PREVIEW)

SURE-FIRE FOR LAUGHS NETTED BY COMEDY THAT MOVES ALONG AT A FINE TEMPO.

This latest picture of the Lupe Velez-Leon Errol series is sure-fire for laughs. The duo run through a continuous sequence of comic situations until a crescendo of laughter is attained. Lupe delivers with her usual fire and verve. Errol is strikingly funny. His characterization of the droll Lord Epping is classic.

Arriving from England to close a deal Lord Epping is virtually kidnapped by his other self, Uncle Mat, both played by Errol, in order to aid his nephew, Donald Woods, secure a contract from a rival group. A rift develops between Woods and his jealous wife, Lupe, who goes to Reno. To avert divorce, Uncle Mat follows her. There, he encounters Woods' rival. To give Woods more time, Errol impersonates Lord Epping. Matters rise to farcical heights when the real Lord Epping, his wife and friend all arrive. The pseudo Epping, the genuine Lord, and Uncle Mat enter into a criss-cross of personalities that only let up with the final fadeout.

Direction of Leslie Goodwins is outstanding. Based on a story by Charles E. Roberts, the screenplay by Roberts and Jack Townley, is well pointed towards comedy, moving along at a fine tempo.

An able supporting cast comprised of Donald Woods, Elisabeth Risdon, Cecil Kellaway, Linda Hayes, Lydia Bilbrook, Charles Coleman, Charles Quigley, Eddie Dunn, Grant Withers and Tom Kennedy add much to the picture's evaluation. Each blends smoothly with, and, in support of, the rest of the cast. Producer Cliff Reid and Executive Producer Lee Marcus should be credited with a shrewdly-planned production.

CAST: Lupe Velez, Leon Errol, Donald Woods, Elisabeth Risdon, Cecil Kellaway, Linda Hayes, Lydia Bilbrook, Charles Coleman, Charles Quigley, Eddie Dunn, Grant Withers, Tom Kennedy.

CREDITS: Executive Producer, Lee Marcus; Producer, Cliff Reid; Director, Leslie Goodwins; Author, Charles E. Roberts; Screenplay, Charles E. Roberts and Jack Townley; Cameraman, Jack McKenzie, ASC; Special Effects by Vernon L. Walker, ASC; Art Director, Van Nest Polglase; Associate, Albert D'Agostino; Editor, Desmond Marquette; Musical Score by Roy Webb.

DIRECTION, Outstanding. PHOTOGRAPHY, Good.

Journal-American Starts Listing Starting Times

N. Y. Journal and American yesterday joined the roster of metropolitan dailies listing in its Film Clock starting times of features in leading Manhattan and Brooklyn film houses. Reported that the Evening Post shortly will follow suit. That would leave only the New York Daily News holding out.

"Here Is Ireland"

Irish-American Film Corp. 111 Mins.
HIGHLY PLEASING AND INGRATIATING TRAVELOGUE CAPTURING COLORFUL IRELAND IN COLOR.

What is described by its distributors as "the first full-length all natural color motion pictures of Ireland as it is today" covers Eire as thoroughly as any travelogue can, and does it without ever becoming tedious or lacking in vitality, which is quite an accomplishment in view of the fact that projection consumes close to two hours of running time.

Several factors contribute to keeping the onlooker's interest on a sustained plane. To begin with, there is a dynamic quality to the footage and this springs from the scenic versatility of the Emerald Isle and the romantic appeal its history, past and present, possesses. Next, the film has the advantage of color photography which is generally eye-filling and a natural medium for conveying the renowned Irish land and seascapes.

Further, and by no means least, the narration by Pat Stanton, who personally made the picture, is delivered with that sureness and authority of one vouching a product he himself has conceived, designed and manufactured. Moreover, Stanton studs the sequences with characteristic Irish wit, vocally and pictorially. Virtually every prominent place of interest and a host of prominent personages whose names are linked with contemporary Ireland are shown.

Patently, the film's greatest appeal will be to those eager, as always, to catch a glimpse of The Auld Country, but appeal will be almost as strong to the legions of the after-chair globe trotters who like travelogues,—and who doesn't? Picture, as presented in New York's Belmont Theater, was in 16 mm. form.

"Here Is Ireland,"—yes, and here is a vehicle . . . as unique and charming as a jaunting car.

SAG in East Nominates 7 for Advisory Council

Nominating committee of the Eastern division of the Screen Actors Guild has completed its slate for election to the Advisory Council at the forthcoming annual membership meeting Nov. 15 at the Hotel Edison, was announced yesterday. Candidates, five of whom will be chosen to serve, are Florence Auer, Kirk Brown, Jr., Alexander Campbell, Bradford Kirkbride, Nellie Maloney, Glorie Pierre and Florence Richardson.

Scripting Rinehart Novel

West Coast Bureau of THE FILM DAILY Hollywood—Warner Bros. has assigned Charles Block to prepare the script of Mary Roberts Rinehart's story, "One Hour of Glory," for the screen.

Rep. Sets Two Circuits

Kansas City, Mo.—Republic has closed product deals here with Fox Midwest Theaters, and Commonwealth Circuit.

★ SHORTS ★

"The Power and the Land"

RKO 36 mins.
Excellent Documentary

Produced for the Rural Electrification Administration, this rates with the best of the U. S. documentaries. It tells effectively a story with plenty of drama, that of a typical American farm family and the transformation which electricity works in its daily life.

Opening, the film shows a before-power day on the Parkinson farm, with its difficult chores and tasks. Then electricity comes and its users of the Parkinsons, a farm family of St. Clairsville, O., and very good ones they are, as they go about their daily tasks in a completely natural and easy fashion which is a credit to Ivens' patience and skill.

Joris Ivens has directed the film with sensitivity for the dramatic and yet has retained the simplicity of the story and its people. His playful application is highlighted, chores become easier, living conditions are bettered and there is more leisure for the whole family. The contrast is sharply pointed and it should prove an eye-opener to tens of thousands who accept electricity as a matter of fact.

Excellent commentary was written by Stephen Vincent Benet. William P. Adams is the able narrator. Fine camera work was done by Floyd Crosby and Arthur Ornitz.

"The Spook Speaks" with Buster Keaton

Columbia 18 mins.
Amusing Comedy

Buster Keaton, Elsie Ames, Don Beddoe and Dorothy Appleby get mixed up with a lot of spooky magic tricks in this two reeler. It should amuse the average audience. There are several very funny gags in the picture, one with a musical jug that should get real belly laughs. Keaton and Miss Ames take a job as housekeepers in the house of a magician. Naturally the place is full of trick passages and trick contrivances. A rival magician and his helper sneak into the place during a thunderstorm and you can imagine the results. Jules White produced and directed.

"Floating Elephants"

Columbia 9 mins.
Timely and Interesting

A highly dramatic short, this reel shows the whys and wherefores of Britain's "floating elephants," better known as the balloon barrage. Newsreel and original material have been neatly spliced together to make the reel exciting and authentic. Nazi bombers are seen in action, with one shown as it is shot down by a fighter plane. Subject is particularly timely and interesting at the present time.

★ FOREIGN ★

"Whirlpool"

(French dialogue, English Titles)
Mayer & Burstin 72 Mins.

NEW YORK POST: Chalk up one French error as far as an American audience is concerned and credit the censors with an effective assist.

WORLD TELEGRAM: Thanks to the censors, "Whirlpool" has become cheap and shoddy, a prolonged and smutty anecdote full of snide and disgusting implications which are entirely in bad taste.

NEW YORK SUN: Both picture and censors have been compromised. There is nothing sensational about the film now, nor is its continuity destroyed by the cutting of specified scenes. It just is not a good picture.

NEW YORK TIMES: The whole thing is like a copy of "Lady Chatterley's Lover" with many chapters torn out.

HERALD TRIBUNE: It is adult entertainment, but not in any way offensive.

CREDITS: Produced by H. O. Films; Director, E. T. Greville. PLAYERS: Jeanne Boitel, Jean Galland, Francoise Rosay.

"The Open Road"

(French dialogue, English titles)
Robert Mintz 85 mins.

NEW YORK TIMES: Turgid drama becomes so hopelessly involved that it ends up as a foolish travesty.

DAILY NEWS: Story seems old fashioned, slow moving and more suited to the silent screen than to the vocal.

HERALD TRIBUNE: Compared to the fine French films we have been privileged to see during recent seasons, "The Open Road" is a dismal bust.

CREDITS: Produced and Directed by Fernand Rivers. PLAYERS: Victor Francen, Tania Fedor, Georges Colin.

Morros to Start O. Henry Picture in Mid-November

Boris Morros will send his second feature for Paramount release this season before the cameras on Nov. 15, it was said here yesterday by Joseph Nadel, his production manager. It's the O. Henry story, "American Vagabond," which will have Doug. Fairbanks in the O. Henry role. Morros' first for Para. is "Second Chorus" which brought Nadel East to make some college background footage. Nadel expects to leave for the Coast Friday.

"Conquest" Goes a Third

New York Strand is holding "City of Conquest" and Bobby Byrne's ork for a third week.

Warner Service Men Told Jobs Are Safe

(Continued from Page 1)

to be decided upon after giving due thought to financial circumstances in each particular case; the Warner Club will continue the member in good standing during the period of his service.

Bausch & Lomb to Give Draftees 4 Weeks' Pay

Rochester—Bausch & Lomb Optical Co. has announced it will give employees called into service a payment equal to four weeks' normal earnings, will count time in military service when computing an employee's length of company service and will continue the life insurance portion of the group policy, paying the employees' contribution.

Hearing in Shapiro Trust Suit Set for November 7

(Continued from Page 1)

definitely postponed late in May, is now scheduled for Nov. 7.

Shapiro charges that clearance granted to the Stanley-Warner houses constitutes a monopoly. He asks that the practice be stopped and that he be awarded damages in excess of \$50,000.

Court Refuses Writ to Halt Union's Picketing

Lawrence, Mass.—Judge Edward T. Broadhurst in Superior Court, refused to issue a temporary injunction sought by Jean Ippolito against members of the local operators' union who have been picketing the Central Theater since it opened Sept. 29. The court ordered that pleadings be completed and directed that the case be placed on the motion session list for speedy hearing.

Ippolito's counsel, Matthew A. Gregg, contended there was no labor dispute involved since the theater's two machine operators were contented with their positions and were not on strike.

Two Iowa Theater Men On State's Draft Boards

Des Moines, Ia.—Two theater operators in Iowa were among the 595 men selected by Gov. George Wilson to serve on local draft boards. They are Floyd A. Ditting of Des Moines and Floyd T. Smith of Sioux City.

Could Be

Wolfeboro, N. H.—Ansel Sanborn's Memorial Hall here came through with this on the marquee:

"I Want a Divorce," plus "Money and the Woman."

NEWS OF THE DAY

Detroit — Paragon Pictures, Inc., has been granted a charter as a Michigan corporation to operate in the commercial motion picture field. Capitalization is \$100,000, with offices at 9240 Hubbell Avenue. Incorporators are Ray W. Springer, Ray W. Springer, Jr., and Ezra H. Frye.

Denver — William Ostenberg III, son of the owner of the houses, has entered the theater business as manager of the Bluffs at Scottsbluff, Neb., where he succeeds Harry Rodell, who goes to Morrell, Neb., to manage the Delmar. Bob Andrews moves from Morrell to Gering as city manager.

Chicago — W. L. Lemke, W. E. Nelson and E. Lemke have organized the L & M Theater Corp., with offices at 134 N. LaSalle St.

Minneapolis — The promotion of Ray Hurowitz from head booker to special salesman and the resignation of Miss Ella Herrod, for the last 10 years office manager, is announced

by Jay McFarland, Minneapolis branch manager for National Screen.

Chicago — Paul Binstock, has opened offices on Wabash Avenue and will handle the Midwestern theater sales for the Premium Promotion Syndicate.

Cambridge, O. — Forney Bowers, has been named manager of the State Theater here, having been transferred from Marietta.

Ashtabula Harbor — The Harbor Theater, leased to Will Thomas, is now being operated by the owner, L. J. Frisch.

Akron, O. — B. C. Steele, Cleveland theater owner and M. A. Mooney, head of Co-operative Theaters of Ohio, have taken over the Nixon Theater from the Charles Stalder estate.

Des Moines, Ia. — Don Wolf has purchased the Plaza Theater at Monona, from C. M. King of New Hampton.

GWTW Domestic Gross Seen at \$23,500,000 Stein to Make Pix In U. S. for Select

(Continued from Page 1)

one-half was shared by Producer David O. Selznick, including the \$2,000,000 advance to him by Metro.

GWTW completes a 44-week run at the Astor, Broadway, on Sunday and it is estimated that its gross in that theater will be about \$600,000. Picture played to capacity there yesterday despite the rain.

Picture winds up a long run at the Wood Theater, Chicago, on the same date.

18 Potential Conscripts On Denver's Film Row

Denver—Eighteen men on Film Row are potential conscripts, survey shows. Average will probably run about the same in theaters. Many ushers are students and outside the draft age limits, with most of the managers and some of their assistants married and having dependents.

Duals in Cleveland Lake

Cleveland—Warners' Lake, which opened two weeks ago with "Pastor Hall," now goes into a dual-run policy. This is the only downtown first-run house in the city to play double features.

Joan Woodbury for Rep. 'Follies'

Hollywood — Republic has signed Joan Woodbury for a role in "Barnyard Follies" which went into production at the week-end.

(Continued from Page 1)

Select, flew to London last week-end to close the deal with Stein for the production of three pictures in the U. S. Stein is due here in mid-November. Richfield also is expected to negotiate with Robert Donat for his appearance in the Bermuda-made picture.

Stein has made a number of pictures in this country for Pathe, Warner Bros., United Artists and M-G-M.

Boyer in "Back Street"

West Coast Bureau of THE FILM DAILY

Hollywood—Universal has signed Charles Boyer for the male lead in Fannie Hurst's "Back Street," in which Margaret Sullivan will have the feminine stellar role. Bruce Manning and Felix Jackson are preparing the script.

Disney Signs Frances Gifford

West Coast Bureau of THE FILM DAILY

Hollywood — Walt Disney has signed Frances Gifford for the feminine lead in his cartoon-live action film, "The Reluctant Dragon," in which Robert Benchley stars. Production starts today.

Korda Signs Gladys Cooper

West Coast Bureau of THE FILM DAILY

Hollywood—Alexander Korda has signed Gladys Cooper for a role in his Vivien Leigh-Laurence Olivier production for UA release, "Lady Hamilton." Sara Allgood and Robert Sinclair will also appear in the film.

Cuban Agreement Reported in Sight

(Continued from Page 1)

probably will be changed in several places, it was said.

It is expected that agreements signed by the American companies will be received here shortly from New York, and will probably be made effective as soon as the troublesome anti-block-booking law is amended or suspended.

First clause in the agreement, stipulating that contracts shall endure for only six months and that titles of pix and names of stars shall be designated when contracts are signed, was originally believed to be a stumbling block. Representatives of distributors here pointed out that numerous changes along these lines are often necessary. Re-examination of the agreement established that this provision does not apply to first-run houses.

Townsendites Buying Hundreds of Projectors

(Continued from Page 1)

10,000 clubs, has closed an initial deal with De Vry here for the purchase of 10 projectors, and expects to have hundreds of the projectors purchased and in operation within the next few months.

The Townsend movement has three of its own films ready for distribution, and has others in preparation for production in local studios. These will be used for a program to be called the Townsend Visual Educational Hour. Latter will also include educational pix as well as commercials.

The Townsend organization is offering club exhibition facilities to U. S. Steel, International Harvester, General Motors and the National Manufacturers Association.

Its own films will be available for theater use, and Glen S. Wilson, in charge of the Townsend film activities, says the reels will go into the Graphic circuit houses, Boston, shortly.

In addition to the three pictures, the Townsend headquarters here has 150 slide films, produced by World Films, Townsend subsidiary.

Roberts in ASN Post

Montreal—E. F. Roberts, Vancouver advertising and publicity man, has been given charge of sales promotion and publicity for Associated Screen News. Roberts is a former news editor of Vancouver Journal of Commerce.

More "Local Color"

Perhaps the best of the stories to be told by those who made Warner pilgrimage to South Bend, Ind., for the quadruple opening of "Kluge Rocke-All American" concerns the choice of an opposition house as a counter attraction. It was "The Hunchback of Notre Dame."

Mexicans Propose All-American Fed.

Mexico City (By Air Mail) A plan for promoting a Federation of Workers of the Motion Picture Industry in the American Continent was introduced before the First National Congress of Workers of the Motion Picture and Associated Industries here.

The Congress also discussed the organization of a banking institution devoted exclusively to the financing of native film production.

The meetings were conducted by the National Committee headed by Salvador Carrillo, Pedro Tellez, H. Mayorga, Salvador Gutierrez, Armando Espinosa, Jorge Zaeta, Salvador Escoto, Francisco J. Macin and Domingo Uribe.

Grovas-Oro Films' latest production, "Ahi Esta el Detalle" (That's the Point), starring Mario Moreno ("Cantinflas"), just released, has broken all records for the first-run Cinema Palacio in its first week and is expected to stay three.

Recent Mexican-made releases include—"La Cancion del Milagro" (The Miracle Song), starring Jose Mojica, and produced by Agustin Fink. RKO Radio is distributing.

Fernando Soler, foremost actor of the Mexican stage and screen, is making his directorial bow with "Con su Amable Permiso" (With Your Kind Permission), in which he himself is starring, with Virginia Serret, Rene Cardona, Manuel Noriega and Miguel Winter in support. Grovas y Cia. will distribute.

Producciones Vicent Orona's "Nido Deshecho" (Broken Nest) is shooting, with veteran stage actress Prudencia Griffel here making her screen debut. Orona is directing and heads the supporting cast.

"49th Parallel" for 'Xmas

Montreal—Ortus Film's Canadian-British feature, "49th Parallel," shooting on which has concluded here, is expected to be ready for release about Christmas.

Lopez Building In Havana

Havana (By Air Mail)—Celestino Lopez is building a 700-seat house on San Rafael St. Opening will be in late October.

New "U" Cincy Exchange

Cincinnati—Ground has been broken, adjoining the present location at 1635 Central Parkway, for a new Universal Exchange building.

Smith on "Father and Son"

Hollywood—Noel Smith has been assigned to direct "Father and Son" for Warners. It was written by Booth Tarkington.

Guernsey Islanders Spurn Nazi Attempts To Propagandize Through Use of Movies

London (By Air Mail)—Attempts by the Nazis to propagandize the English population of occupied Guernsey through the use of films is reported to be an utter failure. Natives of the island, which fell to Germany some months ago, just won't patronize film theaters which the Nazis are operating, regardless of whether the programs include old American and British features or are restricted to German features and newsreels with English titles.

Schenck Sees Upswing In Theater Attendance

(Continued from Page 1)

himself on 20th Century-Fox's outlook for the coming year.

Schenck's statement said: "Business prospects for the impending year seems promising from the viewpoint of theater attendance and improving conditions. Production program for the company was outlined by Zanuck and was given hearty endorsement and his budget requirements were approved.

"For the protection of members of the organization who may be called to military service, it was decided to recommend to the board of directors that all such positions be kept available for their return."

TKWTW Frisco Premiere Draws Host of Celebs

San Francisco—"They Knew What They Wanted" with the starring team of Carol Lombard and Charles Laughton had its world premiere here last night at the Golden Gate Theater with a score of stars and other celebrities in attendance. Hollywood delegation included Charles Laughton, Hubbard Keavy and wife, Virginia Wright and husband, Harry Crocker, Thornton Delehanty, Mr. and Mrs. Ralph Jordan, Dick Pollard, Carol Mydans, Bob Miller, Jim Crow, Mr. and Mrs. John Truesdell, Anne Shirley, Mr. and Mrs. Tim Holt, Leon Errol, Olympe Bradna, Wolfe Kaufman, Ralph Wilk, Mr. and Mrs. Bill Weaver, Hedda Hopper, Sheila Grahame, Mr. and Mrs. Feg Murray, William Gargan, ZaSu Pitts and Linda Hayes.

A giant grape tub erected in the street, 90 feet in diameter and draped with three tons of grapes from the Napa Valley, locale of the production, was a highlight of the exploitation campaign. A band of 30 pieces played from the marquee and a ballyhoo consisted of 20 dancing girls in costumes.

Twenty-five motion picture editors from Western cities were guests Monday at a private preview.

Portell Selling to Schulte

Detroit—Joseph G. Portell, Detroit circuit owner, is selling out his Greenwood and Virginia Theaters, to the Schulte Circuit, and will move to Miami, where he operates a ballroom.

Avalon Bowlers Leading

Chicago—Avalon theater bowlers are leading in the Warner Theater bowling league with five wins, Hammond theater bowlers are second, Stratford theater team, third. Fourteen teams are participating.

Indo-China Picture Shipments Are Halted

(Continued from Page 1)

are being continued in face of a variety of difficulties, according to Charles Barnett. However, no films are being sent to Denmark, Holland, Norway, Belgium and France.

Barnett said that most of the pictures destined for the Balkan countries are being shipped by way of Basra on the Persian Gulf, although some are going by way of Lisbon, Portugal.

Shipments to Sweden and Finland are made as and when navicerts can be obtained from the British Government and when space is made available by the cargo commissions of both countries. Films are sent to Sweden and Finland by way of Petsamo. Film shipments to England are being made direct, Barnett said.

New Bonus Plan Proposed For Operators in the U. K.

London (By Air Mail)—A bonus plan that is called "revolutionary" for increased pay for theater operators has been advanced by the ETU to the Scottish branch of the CEA.

The ETU proposal is that wage increases should be based on the cost of living, taking the 1914 wage as 100 points; whenever living costs advance 30 points a corresponding wage increase should be paid to operators. Survey of the rise in the cost of living would be taken on an average of once every three months.

Conciliation board has taken the request under advisement, though some opposition has developed and one exhibitor thought, if the plan is ever adopted, there should be some point established where increases would cease.

Indian Production Cut Asked as War Measure

Bombay (By Air Mail)—The Indian Government has requested native producers to reduce the number of feature films as a war measure. Government points out that cellulose is needed for military purposes.

Indian production approximates 200 features annually.

Talk New Janitors Pact

Chicago—Negotiations for a new contract are under way between the Theater Janitors Union and local exhibitors.

Glencoe Opening Oct. 18

Glencoe, Ill.—Myers & Valos will open the new 900-seat Glenwin Oct. 16.

HOLLYWOOD SPEAKING--

By RALPH WILK

HOLLYWOOD

MR. and Mr. Allan Jones (nee Irene Hervey) and the Robert Cummings are planning a cruise, which will take them to Havana. Both Jones and Cummings appear in "Caribbean Holiday," and Director Eddie Sutherland is trying to complete the picture in time for them to take a print along for a special showing in Havana. Irene Hervey is now working in "San Francisco Docks," at Universal. Following the cruise Jones will start work in "Las Vegas Nights," at Paramount.

ONE room in the home of Eddie Albert is set aside for reminiscing. It's his den. The room is completely furnished with furniture that occupied his room at the University of Minnesota.

CLAUDE BINYON, Columbia scenarist, whose last assignment was Wesley Ruggles' production, "Arizona," has taken up model car racing as a new hobby. He has had a race course built in his back yard and now has six 12-inch racers that will do between 55 and 60 miles per hour.

CLARENCE BROWN is borrowing a leaf from the book of "Johnny Appleseed," the pioneer who went around planting appleseeds. No visitor is permitted to leave his Calabasas ranch without taking with him a small bag of flower seeds collected from his gardens.

OUR Passing Show: Johnny Mack Brown, John Howard, Dave Garber and Linc Quarberg are among the early entrants in Universal's annual tennis tournament; Irving Cummings, his son, Irving, former college football star, and William Conselman, Jr., discussing the gridiron sport.

REPUBLIC has picked up the option on Jane Frazee, who made her debut in "Melody and Moonlight." She has been signed on a four-picture deal.

JAMES A. FITZPATRICK, M-G-M's travelogue expert, has returned from a vacation trip on his own small island in British Columbia. He is now completing editing of "Old New Mexico," his latest travel-talk, which is scheduled for national release on Oct. 26th.

THE first print on Pete Smith's latest novelty short, "Quicker'n A Wink," shot with the stroboscopic camera, will be rushed by airmail to the Massachusetts Institute of Technology for a special showing at a university faculty meeting under the supervision of Dr. Harold Edgerton, who was technical director of the short.

REPUBLIC has purchased the rights to the magazine cartoon strip, "Cootin Marvel." Fawcett magazine strip. This will be the next serial and will be produced by H. S. Brown, Jr.

Decree Draft Not Yet Presented to Jackson

Major Execs., Counsel Participated in the Washington Conference

(Continued from Page 1)

The New York anti-trust offices to settle the final decree's drafting language. The conferees are expected to make a return meeting visit to Washington later this month.

Wendell Berge presided at the conference in place of Thurman W. Arnold who was out of town.

It was understood that Berge received the "Big Five's" suggestions for changes in the provisions and language of the decree but insofar as it was possible to ascertain last night gave no consideration to the numerous exhibitor protests, particularly with reference to the blocks of five.

Proceedings "Satisfactory"

Following the conference the proceedings were characterized as "amicable and proceeding on a satisfactory basis but requiring more time than had been expected."

D of J and industry spokesmen agreed on a schedule of future conferences starting tomorrow in New York, where it is expected that the language of the decree will finally be agreed upon. After the New York conferences, the industry spokesmen will return to Washington for their delayed final meeting.

Industry representatives at yesterday's conference included Thomas D. Thacher and Austin Keough of Paramount; Nicholas M. Schenck and J. Robert Rubin of Loew's; George J. Schaefer of RKO; Dwight Shipman for 20th Century-Fox; and Robert W. Perkins and Joseph Hazen representing Warner Bros.

Robert Wright joined Holmes Baldridge, James Hayes and Robert Sher to represent the Government at the conference.

No Recommendations to Jackson

It was announced that Berge told the "Big Five" spokesmen he would make no recommendations to Thurman W. Arnold or to the Attorney General until all five companies had agreed upon the wording of the decree. One Justice participant said last night that it might be a "couple of weeks or a couple of months" before all details of language and drafting would be ironed out to the satisfaction of all.

No threat of break-down was seen but "the hundreds of details involved in a settlement of this kind" were stressed.

Michele Morgan Coming

West Coast Bureau of THE FILM DAILY

Hollywood — Michele Morgan, French actress under contract to RKO, is expected to arrive in Hollywood about Nov. 1. A vehicle for Miss Morgan is expected to be in readiness by the time she arrives.

MacAdam, Eastman Kodak Research Worker, Winner of Adolph Lomb Memorial Medal

Rochester—Dr. David L. MacAdam, 30-year-old Eastman Kodak research worker, was honored by the Optical Society of America for his "noteworthy contribution to optical science" at the organization's annual convention here. Recognizing his development of methods for measurement of color quality in color photography, the society awarded him the Adolph Lomb Memorial Medal.

Allied Exhibitors Will Increase War Activities

Halifax, N. S.—At the annual meeting of the Allied Exhibitors, the organization was committed to increased war activities, including a "campaign of its own. There was also discussion of some restrictions by the provincial censor board, subject to criticism for some time. C. H. Bennett, chairman of the board, addressed the convention for an hour.

Represented for the first time at the convention was the maritime section of the Canadian Picture Pioneers, formed about two months ago. Archie Mason, of Springhill, N. S. president, Reg March, of St. John, N. B., and Bob Roddick, of Halifax, secretaries, were the CPP delegates.

W. H. Cuzner, of Sydney Mines, was re-elected president; Frank Sobey, of Stellarton, vice-president; Dick Courtney, of Halifax, secretary-treasurer. R. J. Macadam, of Halifax, veteran exhibitor, was named an honorary life member.

British MOT Modifies Traveling Show Policy

London (By Air Mail)—The Ministry of Information is modifying its policy of sending 16 mm. propaganda films about the country, as a result of protests by CEA exhibitors. Number of 16 mm. projectors, to be housed mainly in public libraries, will be reduced from 100 to 50. The number of mobile vans to tour the country will be increased from 50 to 76.

The MOT also is arranging for a series of propaganda films for women, showing how they can help to win the war, to be shown in theaters before regular programs start.

Frank Keller Dies at 64

erie, Pa.—Frank Keller, 64, who, with his son-in-law, Ken. Blakely, operated the Keller's Theater, North East, and the Keller's Theater, Westfield, N. Y., died at his residence in Erie. He was the nephew of Harry Keller, magician.

Rep. Signs Milt Gross

West Coast Bureau of THE FILM DAILY

Hollywood — Republic has signed Milt Gross to prepare the scenario of "Puddin' Head" in collaboration with Jack Townley.

Loew-Lewin Name Buchanan

David L. Loew-Albert Lewin Inc., announces the appointment of Buchanan & Co., Inc., as its advertising agency.

Tele Standards Pressed For Jan. 1 Completion

(Continued from Page 1)

standards is being speeded to insure completion by Jan. 1, it was said yesterday by Dr. W. R. G. Baker, chairman of the National Television Systems Committee, speaking at the Hotel Roosevelt meeting of the Radio Manufacturers Association.

Dr. Baker, GE's radio-television department head, disclosed that three of the nine panels comprising the NTSC have nearly "completed their work and final reports are in preparation." He added that "certain of the panels whose work involves consideration of color and the possible application of FM still have a great deal of work ahead of them."

British War Office to Hire Cinemas for Military Films

London (By Air Mail)—Exhibitors of the Northwest Branch of the CEA have been circularized to the effect that the Government will soon begin the hiring of picture theaters to show films on military training at an hour when cinemas are not open to the public.

Rate of pay will vary according to seating capacity—one guinea for house seating 500; two guineas for one with 500 to 1,000 seats; and three guineas for those seating more than 1,000. War office will also want to engage theaters on Sundays, at the same rate of pay, for screening instructional films for the Home Guard.

Rensselaer Will Vote On Sunday Pix Issue

Rensselaer—Years of hot debate between Church and civic organizations fighting Sunday movies and proponents seeking to legalize city exhibitions will be culminated Nov. 5 when the voting machines provide the final answer here. The Aldermen unanimously decided on the referendum after they had previously passed an ordinance but lacked unanimous consent and then withdrew the bill when opposition presented itself for a public hearing.

Irish Censor Retires

Dublin (By Air Mail) — James Montgomery, Irish film censor for the past 17 years, retired from that post yesterday. He was one of the first official film censors to be named by any country.

Pittsburgh V. C. Will Honor Latta

Pittsburgh — John H. Harris has been named general chairman and James G. Balmer and Harry M. Kalmine as assistant chairmen for the 12th annual banquet of the local Variety Club on Oct. 20 in the William Penn Hotel. Dr. L. G. Beinhauer will serve as treasurer. Affair will honor outgoing Chief Barker C. J. Latta and his associate officers.

Other committees functioning are: Reception: Burtus Bishop, Jr., chairman. Speakers' Table Invitations: Harry Feinstein, chairman; Herbert A. May, asst. chairman.

Hotel Reservations: Harold C. Lund, chairman.

Speakers' Table Reception Committee: James G. Balmer, chairman; Rosy Roswell, Elmer Ecker, asst. chairman.

Show Boat Entrance Entertainment: Joe Hiller, chairman; Sid Marke, asst. chairman.

Lights, Soundboard, Spots, P. A. System, Projection: Larry Katz, Ben Brown, co-chairmen.

Speakers' Table: Sen. Frank J. Harris, chairman; Herbert A. May, asst. chairman.

Dinner Menu: Harry Kramer, M. J. Gallagher, co-chairmen.

Publicity and Program: George D. Tyson, chairman; James Totman, asst. chairman.

Program Advertising: James Totman, chairman; William Walker, C. C. Kellenberg, asst. chairman.

Out of Town Program Advertising: Ira H. Cohn, chairman; C. C. Kellenberg, asst. chairman.

Golf and Athletic Club: Cards and Courtiers: Art Levy, chairman; Bill Stiller, asst. chairman.

Ticket Committee: James G. Balmer, chairman.

Banquet Eve Refreshments: M. J. Gallagher, chairman; Harry Kramer, asst. chairman.

Program and Card Distribution: Ushers, Attendance, Doormen: William Zeiler, J. O. Hooley, co-chairmen.

Transportation: Ray Downey, chairman; Red Cowell, asst. chairman.

Seating: Harry Feinstein, J. T. McGreevey, co-chairmen.

Decorations: Al Kerkhan, William Zeiler, co-chairmen.

Music and Rehearsal: Brian McDonald, chairman; Bernie Armstrong, Joe Hiller, Charlie Eagle, George Heid.

Setting Up Showboat: F. R. Pinner, James G. Balmer, co-chairmen.

The Show: Harry Kalmine, chairman; Mike J. Cullen, Brian McDonald, Joe Hiller, James G. Balmer.

Props: Bill Gardiner, chairman.

"Fight for Life" In Bryant
Pare Lorentz's "The Fight For Life," released by Columbia, opens at the Bryant Theater today. Picture before Columbia took over distribution from the U. S. Film Service played the Belmont.

"Band" Held In Six Spots

"Strike Up the Band" has been held over for a third week in New Haven, Hartford, Philadelphia and Pittsburgh, and for second weeks in Boston and Buffalo. M-G-M reported yesterday.

Mohawk Sets Two Territories

Mohawk's 19 will be distributed in the Boston territory by Eddie Klein of the Bay State Film Co. and in the New Haven territory by Harry Gibbs of Connecticut Film Distributors as a result of deals just set.

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 72

NEW YORK, THURSDAY, OCTOBER 10, 1940

TEN CENTS

FINAL CONSENT CHANGE REQUESTS TODAY Decree Parley Secrecy Draws Kuykendall's Fire

MPTOA Prexy Critical of Failure to Include Exhib. Reps. in Settlement Talks

By M. A. EGAN
FILM DAILY Staff Correspondent
Albany—Secret sessions between distributors' counsel and Department of Justice officials on the proposed New York equity suit consent decree where "those with investments deeply involved were dealt with and had no say" were scathingly attacked by Ed Kuykendall, MPTOA prexy, addressing an exhib. round-up here yesterday.

Meeting in the Ten Eyck Hotel was held under the auspices of the
(Continued on Page 5)

Quebec ATI Elects Norrish as Prexy

Montreal—B. E. Norrish of Associated Screen News was elected president of the Quebec Allied Theatrical Industries at the annual meeting in the Mount Royal Hotel here. Others named were:

Vice-president, George Ganetakos, United Amusement Corporation; treasurer, E. N. Tabah, Confederation
(Continued on Page 12)

D. C. Commission Orders Licensing of Operators

Washington Bureau of THE FILM DAILY
Washington—District licenses for all motion picture theater operators handling inflammable film have been ordered by the District of Columbia Commissioners following more than a year of discussion.

The order, after being rewritten
(Continued on Page 11)

Capitol Staff of 60 To Vote for Kendall

Messmore Kendall, GOP nominee for Congressman-at-large in New York State, has been assured of 60 votes.
That represents the complete personnel of the Capitol Theater. Kendall is president of the Capitol Theater Corp., a post he has filled since the erection of the theater. The 60 employees have sent Kendall a "round robin" pledge of support.

FEDERAL POST FOR WHITNEY

Heads Film Division in
Office of Co-ordination

Washington Bureau of THE FILM DAILY
Washington—Appointment of John Hay Whitney, as director of the Division of Motion Pictures and James W. Young as director of the Division of Communication, was announced today by Nelson A. Rockefeller, Co-ordinator of Commercial and Cultural Relations between the American Republics.



JOHN HAY WHITNEY

Whitney, who was board chairman
(Continued on Page 12)

N. W. Allied Unit Opposes Tilts for Specific Films

Harmony, Minn.—Resolutions disapproving increased admissions for special pix were adopted by exhibs. of the First District of Northwest Allied, meeting here under the chairmanship of E. L. Danielson, of Maple, district governor.

Companies Agree to Deadline, Government Asserts; Exhibitors' Protests Bring No Changes from D of J; Washington Sees Final Draft Ready Within 10 Days

All requests for changes in the proposed consent decree as it now stands are to be submitted by the five negotiating companies today at a conference to be held at the Bar Association Building, Special Assistant Attorney General James Hayes stated yesterday.

7 Studios' Employees Will Vote on Guild

Washington Bureau of THE FILM DAILY
Washington—National Labor Relations Board yesterday announced separate ballot elections will be held within 30 days among the office, clerical, secretarial and accounting employees of seven studios to determine whether such employees desire to be represented by the unaffiliated Screen Office Employees Guild.

Employees of the following companies will vote under the order: Columbia, Loew's, RKO Radio, Republic, Hal Roach, Universal and Walter Wanger. The employees of 20th Century-Fox will determine whether
(Continued on Page 8)

NWMP Will Play Midwest Circuits at Higher Prices

Midwest circuits are booking "North West Mounted Police" for extended playing time at advanced admission prices, Paramount announced yesterday. Picture is being dated for showing immediately following
(Continued on Page 8)

Allied Aims Out of Decree Myers Talks on Blocks of 5 at Mich. Allied

Defense Tax Hits B. O.; Chi. Nabes Cut Prices

Chicago—Neighborhood theaters are finding that the new defense tax is hurting attendance, with the result that 10 have cut their admission charges to 20 cents. Houses advertising the lower charges, include the Avon, the Liberty, the Milford, the Rivoli, Admiral, Revue,
(Continued on Page 8)

Jackson, Mich.—"Any settlement of industry problems should be permanent and enduring and not dependent upon the voluntary support of the producer-distributors," said Abram F. Myers, general counsel of Allied, at the 21st annual convention of Allied Theaters of Michigan, which closed here yesterday.

"When the proposed code was under consideration regarding the consent decree I suggested that it be
(Continued on Page 11)

Officials stated that the suggested changes in substance and language put forth by the companies in Washington on Tuesday referred to standard clauses incorporated in all consent decrees prepared by the anti-trust division. Several of the com-
(Continued on Page 12)

Philly UMPTO Plans Decree Intervention

Philadelphia—Board of the UMPTO, meeting here Tuesday, discussed the possibility of intervening in the equity suit to bring to a head its protest, against the blocks of five selling provision in the proposed consent decree. Papers are being drawn up, with further action still to be taken.

The board also discussed local
(Continued on Page 5)

U. S. Film Men in Orient To Stay Despite Order

Approximately 15 American film representatives in Japan, Indo-China, Hong Kong and China, who have been advised to leave by the U. S. Government, are expected to remain at their posts, it was learned here
(Continued on Page 8)

"Fantasia" Opening As Aid to Britain?

Negotiations are reported to have been held whereby proceeds from the New York premiere of Walt Disney's "Fantasia" will go to the British War Relief Society. Premiere has been set for Nov. 13 at the Broadway.

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JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Wednesday, Oct. 9)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.				
Col. Picts. etc. (2 1/2%)	5	5	5	
Columbia Picts. pfd.				
Con. Fm. Ind.	1/2	1/2	1/2	
Con. Fm. Ind. pfd.	8 1/2	8 1/4	8 1/4	+ 1/8
East. Kodak	132	131 1/8	131 1/8	+ 1/8
do pfd.				
Gen. Tr. Inc.	10 1/4	9 3/4	10 1/4	- 1/8
Loew's Inc.	25 1/4	25 1/4	25 1/4	- 3/8
do pfd.				
Paramount	7 1/4	6 7/8	7 1/4	+ 1/2
Para. 1st pfd.	86 1/2	86 1/2	86 1/2	+ 3/8
Para. 2nd pfd.	8 7/8	8 7/8	8 7/8	+ 1/8
RKO Film	9 1/2	9 1/2	9 1/2	+ 1/4
Pathé	2 1/4	2 1/4	2 1/4	- 1/4
20th Century-Fox	5 7/8	5 7/8	5 7/8	- 1/4
Univ. Pict. pfd.				
Warner Bros.	2 1/2	2 1/8	2 1/2	+ 1/8
do pfd.				

NEW YORK BOND MARKET				
Keith B. F. ref. 6 1/2%				
Loew's deb. 3 1/2% 46	103 3/4	103 3/4	103 3/4	+ 1/4
Para. B way 3 1/2%				
Para. Picts. 6 1/2%				
Para. Picts. cv. 3 1/2% 47				
Warner Bros. deb. 6 1/2%				

NEW YORK CURB MARKET				
Monogram Picts.				
Sonotone	1 1/4	1 1/4	1 1/4	
Technicolor	9	8 7/8	8 7/8	+ 1/8
Trans-Lux				
Universal Corp.				
Universal Picts.				

N. Y. OVER-THE-COUNTER SECURITIES				
Pathé Film 7 pfd.				Bid Asked
Fox Thea. Office Bldg. 1st '46				
Loew's Thea. Realty 6 1/2 '47				
Met. Playhouse, Inc. 2nd deb. '45				67 70
Roxy Thea. Bldg. 4 1/2 '47				62

Peressutti, Cinecitta Architect, Dies at 55

Padua, Italy—Gino Peressutti, 55, Italian architect who designed Cinecitta, Italy's Hollywood, died here. He recently visited the International film exposition at Venice to receive a decoration from the German Minister of propaganda, Dr. Goebbels.

Arthur H. Sawyer Acquires Adorno "Conspiracy" Suits Go to Trial in New Haven

Miami — Arthur H. Sawyer has purchased the entire assets of Colonnade Pictures Corp. Sawyer resigned from the presidency of the studio in order to legally handle the purchase of the business.

Contracts have been made with several producers for the production of a number of pictures at the Colonnade studio during the next six or eight months. George Hirliman's next picture, "The Lady or the Tigress," will get under way about Nov. 15.

Edward O'Toole, son of the late Col. O'Toole, who died last week, is now president of the company, the colonel having been the principal stockholder of the corporation.

Reports current in New York that the studio had closed are without foundation.

"Down Argentine Way" Closes in Philly Bow

Philadelphia — "Down Argentine Way," new 20th-Fox de luxe musical, opened its first pre-release engagement yesterday at the Stanley Theater to SRO business. At 4 p.m. picture had topped opening day "takes" on "Jesse James" and other 20th-Fox pictures which had established top gross figures at the house. Theater executives last night predicted new house records.

Para. to Speed Prints Of "World in Flames"

Having screened "The World in Flames" for Washington executives and defense leaders, Paramount plans to rush as many prints into the field as possible, following approval by Government officials. Wide distribution of the picture is expected.

"U" Closes Fried Deal

Minneapolis—W. A. Scully, Universal general sales manager, and E. T. Gomersall, district manager, have just completed negotiations with Fred Fried, Minnesota Amusement Co. president, on their circuit deal. Roy Miller, Minneapolis branch manager, assisted.

"Long Voyage" Draws 'Em In

In its first day at the Rivoli Theater, Walter Wanger's new John Ford production for UA, "The Long Voyage Home," is running neck and neck in attendance and receipts with the Rivoli's previous tenant, "Foreign Correspondent." Early indications point to a long run for the new Wanger film.

"Zorro" In Cincy Nov. 1

Nov. 1 has been set by 20th-Fox as the date for the world premiere of "The Mark Of Zorro" in Cincinnati. Picture will bow at the Albee and Shubert Theaters that night.

Chi. Censor Change Deferred

Chicago — The Chicago censor board set-up change will be postponed until after the election, according to the latest reports.

Middletown, Conn.—"Conspiracy" suits brought by Middlesex Theater, Inc. and S. & S. Theater Corp., owners of Capitol and Middlesex Theater property, against Salvatore Adorno, former manager of all three Middletown houses, claiming a total of \$175,000 damages, started trial yesterday in the Middlesex County Superior Court before Judge Ernest Simpson. New Haven exchange managers and several exhibitors have been subpoenaed. It is estimated the trial will take five weeks.

Free France Bans All Nazi and Italian Films

Vichy (By Cable)—Despite Nazi pressure, no German or Italian films will be permitted to be shown in unoccupied France, it is authoritatively reported here.

Government's decision supposedly is predicated upon the fear that disturbances would result were films from France's erstwhile enemies to be shown.

"Great Dictator" Opens Oct. 31 in Two Chi. Houses

Chicago—Charlie Chaplin's "Great Dictator" will open in two B & K Loop theaters on Oct. 31, the Apollo and the Roosevelt.

Showing at the Apollo will be two-a-day with the Roosevelt adopting a continuous-run policy.

Efforts are being made to obtain personal appearances of Chaplin and Paulette Goddard at the premiere.

Minneapolis V. C. Will Hold Asch Testimonial

Minneapolis—After 16 years in theater biz in the Northwest, Ben Asch will leave for California at the end of the month to enter another field. The Minneapolis Variety Club is throwing a stag banquet in his honor at the Nicollet Hotel on Oct. 21. Ben Berger, Bill Elson, and Hy Chapman are in charge of arrangements.

Larry Puglia Recovers

Waynesburg, Pa.—Larry Puglia, manager of the Opera House and Wayne Theaters. Waynesburg, has resumed his duties after an operation at the Mercy Hospital, Pittsburgh.

Chi. Operator Action Deferred

Chicago—Settlement of the Chicago operators' new contract has again been postponed. Both exhibitors and operators are reported striving to reach an amicable agreement.

Morris Joseph Ill

Morris Joseph, manager of the Universal, New Haven exchange, and "Dean" of Meadow Street, is ill in Grace Hospital, New Haven.

COMING and GOING

HAL HORNE left for the Coast last night. PHIL REISMAN arrives here Oct. 26 from South America.

T. P. LOACH leaves for the Coast Monday. GENE AUTRY is at the Warwick.

J. L. WARNER and his wife are at the Waldorf.

ED KUYKENDALL arrives here this morning from upstate New York.

JACK OAKIE arrives today from the Coast via the TWA Stratoliner.

FREDRIC MARCH is due here from the Coast around Nov. 1.

MELVILLE BURKE is en route to the Coast.

ADELA ROGERS ST. JOHNS has returned from Nassau and leave for Hollywood this week-end.

OSCAR SERLIN left yesterday for Chicago.

JAMES CAGNEY goes to the Coast next week after a vacation at his home on Martha's Vineyard.

WILLIAM GUTHRIE, Warner location scout, has left the Coast on a three weeks' trip through Eastern states to set locations for forthcoming Warner films.

ABEN KANDEL has returned to the Coast after a New York visit.

JED HARRIS has returned from the Coast.

ROBERT BENCHLEY has returned to Hollywood.

ARTHUR S. DICKINSON leaves for the Coast tomorrow.

NATE SODIKMAN, Monogram franchise holder in Albany, has returned from Detroit with MRS. SODIKMAN.

Dickinson to Visit Nine Exchanges on Coast Trip

Arthur S. Dickinson, Director of the MPPDA's Conservation Department, leaves tomorrow to attend the Fall Meeting of the SMPE in Los Angeles, Oct. 20-25. During the trip, Dickinson will visit film exchanges in Atlanta, New Orleans, Dallas, San Francisco, Salt Lake City, Denver, Kansas City, St. Louis and Chicago. He returns to New York on Nov. 9.

Warner Bookings In Chi. 10% Ahead of Last Year

Chicago—The Warner Chicago exchange reports an increase of 10 per cent in new season bookings over the same period last year for this territory. Contracts for both the Kerosotes and Hainline circuits have been set.



CLOSE THAT DEAL TOMORROW BY TELEGRAPHING TODAY VIA

Postal Telegraph

CHARGES FOR TELEGRAMS 'PHONED IN APPEAR ON YOUR TELEPHONE BILL.





**"THIRD
FINGER,
LEFT
HAND"**

Starring

**MYRNA
LOY**

with

**MELVYN
DOUGLAS**

• Raymond Walburn • Lee Bowman • Bonita Granville • Felix Bressart
A ROBERT Z. LEONARD Production • Original Screen Play by Lionel Houser • Directed by Robert Z. Leonard • Produced by JOHN W. CONSIDINE JR.

A METRO-GOLDWYN-MAYER PICTURE

Mr. Exhibitor!
You will say:
"I love you again
M-G-M because
you have given
me another
terrific box-office
comedy to top
'I Love You Again!'"
And that's
nice topping!

Philly UMPTO Plans Decree Intervention

(Continued from Page 1)

clearance conditions, approved raises in admissions on single pictures where the downtown first-run lead the way, backed the Red Cross drive to the limit, and generally discussed local problems.

British Theater Lessees Held Free of War Damage

London (By Air Mail)—By the amended Landlord and Tenant act, the lessee of a theater damaged by the war is not responsible for repairs to the property, though under ordinary circumstances he would be responsible, according to a memorandum by the CEA's general counsel, Norman Hart. With Nazi blitzkrieg in full swing, opinion is of prime importance.

Tenant, however, must notify landlord as soon as possible as to the extent of the damage so that he may repair it temporarily or permanently. If the damage makes the theater unfit for further use as a theater, lessee has the right either to retain or disclaim further lease. If he retains the lease, he must make good the damage done, but is relieved of the obligation to pay rent.

Whether or not such badly damaged theaters should be rebuilt is to depend on whether the cinema is essential to the welfare of the civilian population. No action has as yet been taken on this angle, and hence facilities for rebuilding damaged houses have not been granted to exhibitors.

Showmen's Club to Open

Philadelphia—The Showmen's Club opens for the Fall season Tuesday at the new rooms on Vine St. Charles Goldfine and Charles Stiefel are co-chairmen of the renovation committee. Dave Rosen is chairman of the group handling the drawing Nov. 16. Allen Lewis becomes chairman of the membership committee, with Jack Litto in charge of the committee for collection of dues.

First House for Madera

Madera, Pa.—Opening of the new 500 seat Madera Theater, owned and constructed by Mid-West Theaters, Inc., gives this town its first motion picture house.

"Happy Birthday to You"



From
THE FILM
DAILY to
Helen Hayes
Harry Richman



• • • MORE than a fleeting idea.....of the intensity and scope of preparations.....aimed at making the Seventh Annual "Night of Stars".....at Madison Sq. Garden on Nov. 27.....the greatest show on earth.....for one of the greatest causes on earth.....can be gleaned from the info.....that our industry big-wigs.....on both Coasts.....are working intently and intensively.....to the end that the big event.....will make possible a record "take".....for the relief of Jewish refugees.....abroad and at home.....

• • • INCLUDED on the "Night of Stars" committee.....are Barney Balaban, David Bernstein, Jack Cohen, George J. Schaefer, Joseph M. Schenck.....Murray Silverstone, Marvin Schenck, Louis K. Sidney, Albert Warner, Nate Blumberg.....and the following ladies, God bless 'em—Mrs. Leo Spitz, Mrs. Hal Horne, Mrs. Nate Blumberg, Mrs. Barney Balaban, Mrs. Ted Lewis, and Sophie Tucker.....Oh, yes, "The Night of Stars" is in very good hands.....

• • • ONE of yes'day's highlights hereabout.....was the special foreign press preview.....of Cecil B. DeMille's "Northwest Mounted Police".....held in the 205-seat Canadian Theater.....o'er at the World's Fair Canadian Pavilion.....and presentation of the new Paramount opus.....was via the courtesy of A. T. Seaman.....the Canadian Commissioner General to the Fair.....To feast on the picture.....and incidentally on the pre and post refreshments.....were more than 40 representatives of important overseas publications.....as well as official representatives of many nations.....

• • • AMONG the prominent onlookers were....the British Consul General, Godfrey D. Haggard; Douglas S. Cole, Canadian Trade Commissioner; L. R. Macgregor, Australian Trade Commissioner.....Leo T. MacCauley, Consul General for Eire; Emil Horn, Consul General for South Africa; Alick McD. McLean, president of the Australian Society of New York; R. M. Firth, New Zealand Trade Commissioner.....plus Grover A. Whalen, representing the Fair; Stanton Griffiths, Paramount's exec. committee chairman; and John W. Hicks, Jr., v.-p. in charge of Para.'s foreign department.....It was quite an evening.....and a honey of a picture.....As a result of the showing.....the garb of the Fair's police.....seem ever so dull.....compared with the Technicolor tunic et al.....o' the "law" of our good neighbor to the North.....

• • • AS the shades of evening fell.....most of local Film Row's Who's Who went a'tuppling at Toots Shors fascinating.....Fifty-one West Fifty-first St.....Reason for the merry-making was a collective one.....namely George and Mrs. Jessel.....and Georgie's constellation of seven B'l movie luminaries.....—Rochelle Hudson, Jean Parker, Isabel Jewell, Steffi Duna, Lya Lys, Jean Gary and Betty Jane Cooper.....The septette of young movie queens demonstrated that when they reign.....they pour.....How's your glass?.....

• • • UP at the Waldorf-Astoria's Starlight Roof today from five on.....will be the cocktail reception RKO is tendering tenderly to Garson Kanin and Erich Pommer.....director and producer respectively of the Music Hall's new attraction....."They Knew What They Wanted".....Darn clever these Waldorf bartenders!.....

Decree Talk Secrecy Irks Kuykendall

(Continued from Page 1)

MPTO of Western New York, with Prexy A. Charles Hayman of Buffalo presiding. It was designed to promote organization and membership in this end of the state, although no definite action was taken yesterday.

On the dais in addition to Hayman and Kuykendall were Louis Schine, Schine circuit, Gloversville; William E. Benton, Benton Circuit, Saratoga; Louis R. Golding, Fabian Theaters, Albany; Sidney Pfeifer, attorney and Marion Gueth, secretary, both of Buffalo.

Exhibition industry is "again behind the eight ball and the decree if accepted, fails to touch many vital problems of exhibitor interest," Kuykendall said in assailing the proposed decree.

Deploping the lack of sincerity on the part of small minority of malcontents, Kuykendall said, "we have invited outside regulation because we refused to do it ourselves. However, everybody else involved is thoroughly organized as a group except exhibitors."

Kuykendall centered his fire on the five picture package clause as "completely ruinous, particularly to small independent owners who will find themselves bidding for product in open market against powerful buying interests." He expressed doubt as to working out arbitration by outsiders.

Allied, Kuykendall asserted, had worked itself into untenable position of half-heartedly endorsing a proposed decree which will do material damage to "owners they presume to represent."

Kuykendall also praised owners for their co-operation on national defense; sketched situation on Neely bill and Ascap measures.

DATE BOOK

- Oct. 13-14: MPTO of Arkansas, Mississippi and Tennessee, convention, Hotel Gayoso, Memphis.
- Oct. 14: Dallas Variety Club golf tournament, Dallas Country Club.
- Oct. 20: Pittsburgh Variety Club banquet, William Penn Hotel.
- Oct. 21-22: AMPTO of Western Pennsylvania convention, Hotel Roosevelt, Pittsburgh.
- Oct. 21-25: SMPE Fall convention, Roosevelt Hotel, Hollywood.
- Oct. 24: Fall Conference dinner of the Picture Pioneers.
- Oct. 26: Cinema Lodge, B'nai B'rith, banquet, Hotel Pennsylvania.
- Oct. 30-31: ITO of Ohio convention, the Deshler-Wallick Hotel, Columbus.
- Nov. 11: A F of L convention opens, New Orleans.
- Nov. 11: Canadian Picture Pioneers convention, Toronto.
- Nov. 11-12: ATOL convention, Hotel Antlers, Indianapolis.
- Nov. 16: Washington Variety Club dinner, Willard Hotel.
- Nov. 16: Boston Motion Picture Salesmen's Club dinner dance, Southland.
- Nov. 21: Motion Picture Associates ball, Hotel Astor.

The Film Daily's Calendar

A list of English-speaking features released since May 10, 1940, by companies. Arranged by date of FILM DAILY review. Names are the principal players in the cast. Complete casts and plots on other pages.

COLUMBIA

Island of Doomed Men, 67 mins. . . . 5-20-40
FD: 6-13-40. Peter Lorre, Rochelle Hudson, Robert Wilcox
Man from Tumbleweeds, The, 59 mins. . . . 5-20-40
FD: 6-14-40. Bill Elliott, Iris Meredith
Passport to Alcatraz, 60 mins. . . . 6-6-40
FD: 6-18-40. Jack Holt, Noah Beery, Jr., Cecilia Callejo
Lone Wolf Meets a Lady, The, 71 mins. . . . 5-30-40
FD: 6-18-40. Warren William, Jean Muir, Eric Blore
Mad Men of Europe, 73 mins. . . . 6-3-40
FD: 6-26-40. Edmund Gwenn, Mary Maguire, Paul von Hrenreid
Return of Wild Bill, 60 mins. . . . 6-27-40
FD: 7-10-40. Bill Elliott, Iris Meredith, George Lloyd
West of Abilene, 58 mins. . . . 10-21-40
FD: 7-17-40. Charles Starrett, Marjorie Cooley, Don Beddoe
Girls of the Road, 61 mins. . . . 6-20-40
FD: 7-24-40. Ann Dvorak, Helen Mack, Lola Lane
Fugitive From a Prison Camp, 59 mins. . . . 9-5-40
FD: 8-6-40. Jack Holt, Marian Marsh, Phillip Terry
Military Academy, 66 mins. . . . 7-18-40
FD: 8-6-40. Tommy Kelly, Bobby Jordan, David Holt, Jackie Searl
The Fight For Life, 69 mins. . . . 6-19-40
FD: 3-18-40. Myron McCormick, Storrs Haynes
He Stayed for Breakfast, 89 mins. 8-22-40
FD: 8-12-40. Loretta Young, Melynn Douglas, Una O'Connor
Secret Seven, The, 62 mins. . . . 8-8-40
FD: 8-15-40. Bruce Bennett, Florence Rice, Sharon MacLane
Durango Kid, The, 60 mins. . . . 8-15-40
FD: 8-23-40. Charles Starrett, Luana Walters, Kenneth MacDonald
Howards of Virginia, The, 122 mins. 8-29-40
FD: 9-3-40. Cary Grant, Martha Scott, Sir Cedric Hardwicke
Out West with the Peppers, 62 mins. . . . 6-30-40
FD: 9-5-40. Edith Fellows, Dorothy Peterson
Thundering Frontier, 57 mins. . . . 12-5-40
FD: 9-16-40. Charles Starrett, Iris Meredith
I Married Adventure, 78 mins. . . . 7-24-40
FD: 9-25-40. Mr. and Mrs. Martin Johnson
Before I Hang, 71 mins. . . . 9-17-40
FD: 10-4-40. Boris Karloff, Evelyn Keyes, Bruce Bennett
Blondie Has Servant Trouble, 70 mins. . . . 7-25-40
FD: 10-9-40. Penny Singleton, Arthur Lake, Larry Sims

M-G-M

Susan and God, 115 mins. . . . 6-7-40
FD: 6-4-40. Joan Crawford, Fredric March
Mortal Storm, The, 100 mins. . . . 6-14-40
FD: 6-11-40. Margaret Sullivan, James Stewart, Robert Young, Frank Morgan
New Moon, 105 mins. . . . 6-28-40
FD: 6-18-40. Jeanette MacDonald, Nelson Eddy, Mary Boland
Captain Is a Lady, The, 63 mins. . . . 6-21-40
FD: 6-26-40. Charles Coburn, Beulah Bondi, Virginia Grey

Andy Hardy Meets Debutante, 86 mins. . . . 7-5-40
FD: 7-2-40. Mickey Rooney, Judy Garland, Lina Stone
Pride and Prejudice, 157½ mins. . . . 8-2-40
FD: 7-9-40. Greer Garson, Laurence Olivier, Mary Boland
We Who Are Young, 79 mins. . . . 7-19-40
FD: 7-16-40. Lana Turner, John Shelton, Gene Lockhart
Sporting Blood, 82 mins. . . . 7-12-40
FD: 7-24-40. Robert Young, Maureen O'Sullivan
Boom Town, 116 mins. . . . 8-30-40
FD: 8-6-40. Clark Gable, Spencer Tracy, Claudette Colbert, Hedy Lamarr
I Love You Again, 99 mins. . . . 8-9-40
FD: 8-14-40. William Powell, Myrna Loy, Frank McHugh
Gold Rush Maisie, 82 mins. . . . 7-26-40
FD: 9-6-40. Ann Sothern, Lee Bowman, Slim Summerville
Wyoming, 89 mins. . . . 9-13-40
FD: 9-10-40. Wallace Beery, Leo Carrillo, Ann Rutherford
Dr. Kildare Goes Home, 78 mins. . . . 9-6-40
FD: 9-11-40. Lionel Barrymore, Lew Ayres, Laraine Day
Strike Up the Band, 120 mins. . . . 9-20-40
FD: 9-17-40. Mickey Rooney, Judy Garland, Paul Whiteman
Dulcy, 64 mins. . . . 10-4-40
FD: 10-3-40. Ann Sothern, Ian Hunter, Roland Young

MISCELLANEOUS

Leopard Men of Africa, The, 65 mins. . . . 6-25-40
FD: 6-25-40. African adventure film.
Spies in the Air (Film Alliance), 62 mins. . . . 7-15-40
FD: 7-12-40. Barry K. Barnes, Joan Marion, Roger Livesey
One Night in Paris (Alliance), 65 mins. . . . 7-23-40
FD: 7-23-40. John Lodge, Hugh Williams, Joan Marion
Murder in the Night (Film Alliance), 70 mins. . . . 7-24-40
FD: 7-24-40. Jack LaRue, Sandra Storme
Hell's Cargo (Film Alliance), 73 mins. . . . 8-3-40
FD: 9-20-40. Walter Rilla, Kim Peacock
After Mein Kampf—? (Crystal Pictures), 69 mins. . . . 9-20-40
FD: 9-20-40. Semi-factual British production
Time in the Sun (World Pictures), 55 mins. . . . 9-30-40
FD: 10-8-40. Historical-social document of Mexico
Mozart (Mozart Film Co.), 76 mins. . . . 10-8-40
FD: 10-8-40. Stephen Haggard, Victoria Hopper, John Loder
Here Is Ireland (Irish-American Film Corp.), 11 mins. . . . 11-11-40
FD: 10-9-40. Travelogue in color

MONOGRAM

On the Spot, 62 mins. . . . 6-11-40
FD: 6-4-40. Frankie Darro, Mantan Moreland, Mary Kornman
Wild Horse Range, 58 mins. . . . 6-18-40
FD: 6-18-40. Jack Randall, Frank Yaconelli, Tom London
Last Alarm, The, 61 mins. . . . 6-25-40
FD: 6-25-40. J. Farrell MacDonald, Polly Ann Young, Warren Hull
Land of Six Guns, 54 mins. . . . 5-2-40
FD: 6-26-40. Jack Randall, Louise Stanley

Golden Trail, The, 52 mins. . . . 7-3-40
FD: 7-8-40. Tex Ritter, Slim Adams, Ina Gust
Boys of the City, 63 mins. . . . 7-15-40
FD: 7-22-40. Bobby Jordan, Leo Goggin, Dave O'Brien
Haunted House, The, 70 mins. . . . 7-22-40
FD: 7-23-40. Jackie Moran, Marcia Mae Jones, Geo. Cleveland
Laughing at Danger, 63 mins. . . . 8-12-40
FD: 8-20-40. Frankie Darro, Joy Hodges, Mantan Moreland
Doomed to Die, 67 mins. . . . 8-12-40
FD: 9-3-40. Boris Karloff, Grant Withers, Marjorie Reynolds
Who Is Guilty?, 69 mins. . . . 9-2-40
FD: 9-6-40. Ben Lyon, Syd Walker, Terrence de Marney
Range Busters, The, 53 mins. . . . 8-22-40
FD: 9-9-40. Ray Corrigan, John King, Max Terhune
Rainbow Over the Range, 62 mins. . . . 6-29-40
FD: 9-10-40. Tex Ritter, Warner Richmond
Kid from Santa Fe, The, 57 mins. . . . 5-23-40
FD: 9-20-40. Jack Randall, Clarence Curtis
That Gang of Mine, 62 mins. . . . 9-23-40
FD: 10-3-40. East Side Kids, Joyce Bryant
Drums of the Desert, 64 mins. . . . 10-7-40
FD: 10-9-40. Ralph Byrd, Lorna Gray, Mantan Moreland

PARAMOUNT

Those Were the Days, 70 mins. . . . 6-21-40
FD: 5-22-40. William Holden, Bonita Granville, Ezra Stone
Hidden Gold, 61 mins. . . . 6-7-40
FD: 5-24-40. William Boyd, Russell Hayden, Ruth Rogers
Safari, 80 mins. . . . 6-14-40
FD: 6-4-40. Douglas Fairbanks, Jr., Madeleine Carroll
Way of All Flesh, 86 mins. . . . 7-5-40
FD: 6-11-40. Akim Tamiroff, Gladys George, Wm. Henry, Muriel Angelus
Ghost Breakers, The, 82 mins. . . . 6-21-40
FD: 6-13-40. Bob Hope, Paulette Goddard, Richard Carlson
Untamed, 83 mins. . . . 7-26-40
FD: 7-2-40. Ray Milland, Patricia Morrison, Akim Tamiroff
Queen of the Mob, 61 mins. . . . 6-28-40
FD: 7-3-40. Ralph Bellamy, Blanche Yurka, J. Carol Naish, Jean Cagney
Stagecoach War, 63 mins. . . . 7-12-40
FD: 7-10-40. William Boyd, Russell Hayden, Harvey Stephens
Great McGinty, The, 81 mins. . . . 8-23-40
FD: 7-23-40. Brian Donlevy, Muriel Angelus, Akim Tamiroff
Mystery Sea Raider, 75 mins. . . . 8-9-40
FD: 8-5-40. Carole Landis, Henry Wilcoxon, Onslow Stevens
Golden Gloves, 69 mins. . . . 8-2-40
FD: 8-5-40. Richard Denning, Jean Cagney, J. Carol Naish
Rhythm on the River, 92 mins. . . . 9-6-40
FD: 8-20-40. Bing Crosby, Mary Martin, Oscar Levant
Three Men from Texas, 70 mins. . . . 11-15-40
FD: 9-10-40. William Boyd, Russell Hayden, Andy Clyde
Rangers of Fortune, 80 mins. . . . 10-11-40
FD: 9-19-40. Fred MacMurray, Patricia Morrison, Albert Dekker

Christmas in July, 70 mins. . . . 10-18-40
FD: 9-20-40. Dick Powell, Ellen Drew, Ernest Truex
Comin' Round the Mountain, 80 mins. . . . 8-16-40
FD: 10-3-40. Bob Burns, Una Merkel, Jerry Colonna
I Want a Divorce, . . . mins. . . . 9-20-40
FD: 10-4-40. Joan Blondell, Dick Powell, Gloria Dickson

PRODUCERS RELEASING CORP.

Frontier Crusader, 62 mins. . . . 6-15-40
FD: 6-14-40. Tim McCoy, Dorothy Short, Clark Hackett
Hold That Woman, 64 mins. . . . 7-15-40
FD: 7-12-40. James Dunn, Frances Gifford
Marked Men, 65 mins. . . . 8-28-40
FD: 9-23-40. Warren Hull, Isabel Jewell, John Dilson

RKO RADIO

Bill of Divorcement, A, 74 mins. . . . 5-31-40
FD: 4-8-40. Maureen O'Hara, Adolphe Menjou, Fay Bainter
Tom Brown's School Days, 86 mins. 6-14-40
FD: 6-24-40. Sir Cedric Hardwicke, Freddie Bartholomew, Jimmy Lydon, Josephine Hutchinson
Millionaires in Prison, 63 mins. . . . 7-12-40
FD: 6-27-40. Lee Tracy, Linda Hayes, Raymond Walburn
Prairie Land, 59 mins. . . . 6-14-40
FD: 6-27-40. George O'Brien, Virginia Vale, Dick Hogan
Cross-Country Romance, 68 mins. . . . 7-19-40
FD: 6-28-40. Gene Raymond, Wendy Barrie, Hedda Hopper
Ramparts We Watch, The, 90 mins. 8-16-40
FD: 7-24-40. John Adair, John Sommers, Julia Kent
Dr. Christian Meets the Women, 68 mins. . . . 7-5-40
FD: 8-5-40. Jean Hersholt, Dorothy Lovett, Edgar Kennedy
One Crowded Night, 68 mins. . . . 8-9-40
FD: 8-16-40. Billie Seward, William H. Cagney, Charles Lang
Lucky Partners, 102 mins. . . . 8-2-40
FD: 8-19-40. Ronald Colman, Ginger Rogers, Spring Byington
Stage to China, 59 mins. . . . 7-26-40
FD: 8-20-40. George O'Brien, Virginia Vail, Roy Barcroft
Dance, Girl, Dance, 90 mins. . . . 8-23-40
FD: 8-28-40. Maureen O'Hara, Louis Hayward, Lucille Ball
Stranger on the Third Floor, 64 mins. . . . 8-16-40
FD: 9-3-40. Peter Lorre, John McGuire, Margaret Tallichet
Men Against the Sky, 75 mins. . . . 9-6-40
FD: 9-5-40. Richard Dix, Kent Taylor, Wendy Barrie
Dreaming Out Loud, 81 mins. . . . 9-13-40
FD: 9-10-40. Lum 'n' Abner (Chester Lauck, Norris Goff)
I'm Still Alive, 72 mins. . . . 9-27-40
FD: 9-30-40. Kent Taylor, Linda Hayes, Ralph Morgan
Beyond Tomorrow, 84 mins. . . . 5-10-40
FD: 9-30-40. Jean Parker, Richard Carlson, Harry Carey

of Current Feature Releases

According to date of review. Dates after titles are distributor release dates; FD: indicates date
 Fiction credits are included with FILM DAILY reviews. *Indicates Technicolor production.

Laddie, 70 mins. 10-18-40
 FD: 10-3-40. Tim Holt, Virginia Gilmore,
 Spring Byington
 Too Many Girls, 85 mins. 10-11-40
 FD: 10-4-40. Lucille Ball, Richard Carl-
 son, Ann Miller
 They Knew What They Wanted, 96 mins.
 9-27-40
 FD: 10-9-40. Carole Lombard, Charles
 Laughton, William Gargan
 Mexican Spitfire Out West, 76 mins.
 11-29-40
 FD: 10-9-40. Lupe Velez, Leon Errol

REPUBLIC

Crooked Road, The, 66 mins. 5-10-40
 FD: 5-15-40. Edmund Lowe, Henry Wil-
 coxon, Irene Hervey
 Gaucho Serenade, 66 mins. 5-10-40
 FD: 5-15-40. Gene Autry, Smiley Burn-
 ette, June Storey
 Gangs of Chicago, 66 mins. 5-17-40
 FD: 5-21-40. Lloyd Nolan, Barton Mc-
 Lane, Ray Middleton
 Rocky Mountain Rangers, 58 mins. 5-24-40
 FD: 5-31-40. Robert Livingston, Raymond
 Hatton, Duncan Renaldo
 Women in War, 71 mins. 6-6-40
 FD: 5-27-40. Elsie Janis, Wendy Barrie,
 Patric Knowles
 Refugee, The, 79 mins. 7-3-40
 FD: 6-14-40. John Wayne, Sigrid Gurne,
 Chas. Coburn
 Carson City Kid, The, 57 mins. 6-27-40
 FD: 6-19-40. Roy Rogers, George "Gab-
 by" Hayes, Bob Steele
 Wagons Westward, 70 mins. 6-19-40
 FD: 6-24-40. Chester Morris, Anita Lou-
 ise, Buck Jones, Ona Munson
 One Man's Law, 57 mins. 6-29-40
 FD: 7-8-40. Don "Red" Barry, Janet
 Waldo, Dub Taylor
 Scatterbrain, 74 mins. 7-20-40
 FD: 7-11-40. Judy Canova, Alan Mow-
 bray, Ruth Donnelly
 Carolina Moon, 65 mins. 6-15-40
 FD: 7-16-40. Gene Autry, Smiley Burn-
 ette, June Storey
 Girl From God's Country, 71 mins. 7-30-40
 FD: 7-23-40. Chester Morris, Jane Wyatt,
 Chas. Bickford
 Ranger and the Lady, The, 59 mins. 7-30-40
 FD: 7-24-40. Roy Rogers, George Hayes,
 Jacqueline Wells

Sing, Dance, Plenty Hot, 70 mins. 8-10-40
 FD: 8-5-40. Ruth Terry, Johnny Downs
 Earl of Puddstone, 67 mins. 8-31-40
 FD: 8-14-40. James and Lucille Gleason,
 Harry Davenport
 Oklahoma Renegades, 57 mins. 7-30-40
 FD: 8-15-40. Bob Livingstone, Raymond
 Hatton, Duncan Renaldo
 Ride Tenderfoot, 65 mins. 9-6-40
 FD: 8-19-40. Gene Autry, Smiley Burn-
 ette, June Storey
 Colorado, 57 mins. 9-15-40
 FD: 9-6-40. Roy Rogers, George "Gabby"
 Hayes, Pauline Moore
 Girl from Havana, 69 mins. 9-11-40
 FD: 9-6-40. Dennis O'Keefe, Claire
 Carleton, Victor Jory
 Tulsa Kid, The, 57 mins. 8-16-40
 FD: 9-6-40. Don "Red" Barry, Noah Beery,
 Luana Walters
 Under Texas Skies, 57 mins. 9-27-40
 FD: 9-16-40. Bob Livingstone, Bob Steele,
 Rufe Davis

Young Bill Hickok, 59 mins. 10-24-40
 FD: 9-27-40. Roy Rogers, George "Gab-
 by" Hayes, Jacqueline Wells
 Melody and Moonlight, 72 mins. 10-11-40
 FD: 10-3-40. Johnny Downs, Barbara Al-
 len (Vera Vague)
 Grand Ole Opry, 68 mins. 6-25-40
 FD: 10-3-40. Leon Frank, June Weaver
 Frontier Vengeance, 57 mins. 10-10-40
 FD: 10-7-40. Don "Red" Barry, Betty
 Moran

20th CENTURY-FOX

Charlie Chan's Murder Cruise, 75 mins.
 6-21-40
 FD: 5-7-40. Sidney Toler, Marjorie
 Weaver, Lionel Atwill
 Lillian Russell, 127 mins. 5-24-40
 FD: 5-16-40. Alice Faye, Don Ameche,
 Henry Fonda
 Four Sons, 89 mins. 6-14-40
 FD: 6-4-40. Don Ameche, Eugenie Leon-
 tovic, Mary Beth Hughes
 Manhattan Heartbeat, 72 mins. 7-12-40
 FD: 6-5-40. Robert Sterling, Virginia Gil-
 more, Joan Davis
 Earthbound, 67 mins. 6-7-40
 FD: 6-13-40. Warner Baxter, Andrea
 Leeds, Lynn Bari
 On Their Own, 63 mins. 5-17-40
 FD: 6-14-40. Spring Byington, Ken How-
 ell, George Ernest
 Girl in 313, 56 mins. 5-31-40
 FD: 6-17-40. Florence Rice, Kent Tay-
 lor, Lionel Atwill
 Lucky Cisco Kid, 68 mins. 6-28-40
 FD: 6-28-40. Cesar Romero, Mary Beth
 Hughes, Chris-Pin Martin
 Maryland, 92 mins. 7-14-40
 FD: 7-2-40. Walter Brennan, Fay Baint-
 on, Brenda Joyce, John Payne
 Street of Memories, 71 mins. 9-6-30
 FD: 7-2-40. Lynn Roberts, Guy Kibbee,
 John McGuire
 Sailor's Lady, 66 mins. 7-5-40
 FD: 7-3-40. Nancy Kelly, Jon Hall, Wally
 Vernon
 Young People, 78 mins. 9-27-40
 FD: 7-15-40. Shirley Temple, Jack
 Oakie, Charlotte Greenwood
 Man I Married, The, 77 mins. 8-2-40
 FD: 7-16-40. Joan Bennett, Francis
 Lederer, Lloyd Nolan
 Charlie Chan at the Wax Museum, 63 mins.
 10-4-40
 FD: 8-1-40. Sidney Toler, Sen Yung, C.
 Henry Gordon
 Pier 13, 66 mins. 8-23-40
 FD: 8-9-40. Lynn Bari, Lloyd Nolan,
 Joan Valerie
 Return of Frank James, The, 92 mins.
 8-16-40
 FD: 8-12-40. Henry Fonda, Gene Tierney,
 Jackie Cooper, Henry Hull

Great Profile, The, 82 mins. 10-11-40
 FD: 8-20-40. John Barrymore, Gregory
 Ratoff, Mary Beth Hughes
 Brigham Young, 114 mins. 9-27-40
 FD: 8-27-40. Tyrone Power, Linda Darnell,
 Dean Jagger, Brian Donlevy
 Public Deb No. 1, 105 mins. 10-13-40
 FD: 9-18-40. Brenda Joyce, George Mur-
 phy, Charlie Ruggles
 Down Argentine Way, 94 mins. 10-25-40
 FD: 10-4-40. Don Ameche, Betty Grable,
 Carmen Miranda

UNITED ARTISTS

Our Town (Lesser), 90 mins. 5-24-40
 FD: 5-13-40. William Holden, Martha
 Scott, Frank Craven, Thomas Mitchell
 Pastor Hall (Roosevelt), 97 mins. 8-16-40
 FD: 8-1-40. Nova Pilbeam, Sir Seymour
 Hicks, Wilfrid Lawson
 Captain Caution, (Roach), 85 mins. 8-9-40
 FD: 8-2-40. Victor Mature, Louise Platt,
 Leo Carrillo
 Kit Carson (Small), 97 mins. 8-30-40
 FD: 8-27-40. Jon Hall, Lynn Bari, Dana
 Andrews, Ward Bond
 Foreign Correspondent (Wanger), 119 mins.
 8-16-40
 FD: 8-29-40. Joel McCrea, Laraine Day,
 Herbert Marshall
 Westerner, The (Goldwyn), 100 mins.
 9-20-40
 FD: 9-20-40. Gary Cooper, Walter Bren-
 nan, Fred Stone, Doris Davenport
 Long Voyage Home, The, 105 mins. 10-9-40
 FD: 10-9-40. John Wayne, Thomas Mit-
 chell, Ian Hunter

UNIVERSAL

La Conga Nights, 60 mins. 5-31-40
 FD: 5-20-40. Hugh Herbert, Dennis
 O'Keefe, Constance Moore
 Sandy is a Lady, 64 mins. 6-14-40
 FD: 5-21-40. Baby Sandy, Batch and
 Buddy, Eugene Pallette, Nan Grey
 I Can't Give You Anything but Love Baby,
 61 mins. 6-21-40
 FD: 5-21-40. Broderick Crawford, Peggy
 Moran, Johnny Downs
 Ski Patrol, 64 mins. 5-10-40
 FD: 5-22-40. Philip Dorn, Luli Deste,
 Samuel S. Hinds
 Framed, 61 mins. 2-23-40
 FD: 5-28-40. Frank Albertson, Constance
 Moore, Jerome Cowan
 Half a Sinner, 59 mins. 4-5-40
 FD: 6-5-40. Heather Angel, John King,
 Constance Collier
 Private Affairs, 75 mins. 7-5-40
 FD: 6-13-40. Hugh Herbert, Nancy Kelly,
 Roland Young
 Bad Man from Red Butte, 58 mins. 5-31-40
 FD: 6-14-40. Johnny Mack Brown, Fuzzy
 Knight, Bob Baker
 Hot Steel, 61 mins. 7-12-40
 FD: 6-26-40. Richard Arlen, Andy Devine,
 Peggy Moran
 You're Not So Tough, 71 mins. 7-26-40
 FD: 7-11-40. Nay Grey, Billy Halop,
 Huntz Hall
 Boys From Syracuse, The, 73 mins. 8-9-40
 FD: 7-15-40. Allan Jones, Joe Penner,
 Martha Raye
 Fugitive, The, 76 mins. 9-20-40
 FD: 7-25-40. Ralph Richardson, Diana
 Wynyard
 When the Daltons Rode, 80 mins. 7-26-40
 FD: 7-29-40. Randolph Scott, Kay Francis,
 Brian Donlevy
 I'm Nobody's Sweetheart No. 64, mins.
 11-1-40
 FD: 6-6-40. Denn's O'Keefe, Constance
 Moore, Helen Parrish
 Son of Roaring Dan, 63 mins. 7-26-40
 FD: 8-9-40. Johnny Mack Brown, Fuzzy
 Knight, Nell O'Day
 South to Karanga, 59 mins. 8-2-40
 FD: 8-14-40. Charles Bickford, James
 Craig, Luli Deste

Leather Pushers, The, 64 mins. 9-13-40
 FD: 9-5-40. Richard Arlen, Andy Devine
 Hired Wife, 93 mins. 9-7-40
 FD: 9-9-40. Rosalind Russell, Brian
 Aherne, Virginia Bruce, Robert
 Benchley
 Back Diamonds, 69 mins. 7-19-40
 FD: 9-11-40. Richard Arlen, Andy Devine,
 Kathryn Adams
 Margie, 59 mins. 12-6-40
 FD: 9-18-40. Tom Brown, Nan Grey,
 Mischa Auer
 Spring Parade, 89 mins. 9-27-40
 FD: 9-26-40. Deanna Durbin, Robert
 Cummings, Mischa Auer
 Ragtime Cowboy Joe, 58 mins. 9-20-40
 FD: 9-30-40. Johnny Mack Brown, Fuzzy
 Knight, Nell O'Day
 Diamond Frontier, 71 mins. 10-4-40
 FD: 10-4-40. Victor McLaglen, John
 Loder, Anne Nagel
 Mummy's Hand, The, 67 mins. 9-20-40
 FD: 10-4-40. Dick Foran, Peggy Moran,
 Wallace Ford

WARNER BROS.

Brother Orchid, 91 mins. 6-8-14
 FD: 5-31-40. Edward G. Robinson, Ann
 Sothern, Humphrey Bogart, Ralph
 Bellamy
 All This and Heaven Too, 143 mins. 6-29-40
 FD: 6-17-40. Bette Davis, Charles Boyer,
 Barbara O'Neil, Jeffrey Lynn
 My Love Came Back, 81 mins. 7-20-40
 FD: 6-28-40. Olivia de Havilland, Jeffrey
 Lynn, Eddie Albert
 Man Who Talked Too Much, The, 75 mins.
 7-6-40
 FD: 7-8-40. George Brent, Virginia
 Bruce, Richard Barthelmess
 Murder in the Air, 55 mins. 6-1-40
 FD: 7-10-40. Ronald Reagan, John Litel,
 Lya Lys
 They Drive by Night, 93 mins. 8-10-40
 FD: 7-12-40. George Raft, Ann Sheri-
 dan, Ida Lupino, Humphrey Bogart
 Fugitive From Justice, A, 53 mins. 6-15-40
 FD: 7-12-40. Roger Pryor, Lucille Fair-
 banks, Eddie Foy, Jr.
 Sea Hawk, The, 127 mins. 8-24-40
 FD: 7-23-40. Errol Flynn, Brenda Mar-
 shall, Claude Rains
 Flowing Gold, 82 mins. 8-31-40
 FD: 8-28-40. John Garfield, Frances Far-
 mer, Pat O'Brien
 River's End, 69 mins. 8-10-40
 FD: 8-28-40. Dennis Morgan, George To-
 bias, Elizabeth Earl
 Ladies Must Live, 58 mins. 7-27-40
 FD: 9-5-40. Wayne Morris, Priscilla Lane,
 Roscoe Karns
 No Time for Comedy, 93 mins. 9-14-40
 FD: 9-9-40. James Stewart, Rosalind Rus-
 sell, Genevieve Tobin
 City for Conquest, 101 mins. 9-21-40
 FD: 9-13-40. James Cagney, Ann Sheri-
 dan, Frank Craven
 Money and the Woman, 67 mins. 8-17-40
 FD: 9-18-40. Brenda Marshall, Jeffrey
 Lynn, John Litel
 Dispatch from Reuter's, A, 89 mins. 10-19-40
 FD: 9-24-40. Edward G. Robinson, Edna
 Best, Eddie Albert
 Knute Rockne—All American, 98 mins.
 10-5-40
 FD: 10-7-40. Pat O'Brien, Gale Page,
 Ronald Reagan, Donald Crisp

7 Studios' Employees Will Vote on Guild

(Continued from Page 1)

they desire to be represented by the Screen Office Employees Guild or by 20th Century-Fox Studio Office Employees Guild.

At the same time the board dismissed the Employees Guild petition for election among employees of Selznick International and Samuel Goldwyn. At the hearing, counsel for the Guild moved to dismiss the petition as to Goldwyn on the grounds that it was not, at the date of the hearing, engaged in production nor was there any indication it would resume its production, and as to Selznick on the ground it was in the process of reorganization.

At the hearing, the parties stipulated that on or about April 1, last, the Guild requested each of the companies to recognize it as the exclusive bargaining representative of such employees but the companies withheld recognition on the ground they did not know who was entitled to represent such employees. The Guild and the companies agreed to the classification of employees eligible to vote and the Board decided that the question of representation could best be decided by separate secret vote.

Philly's Variety Club Aids Destitute Britons

Philadelphia — The local Variety Club aided some destitute British seamen here this week. The men, from the torpedoed freighter Corrientes, brought here by the Swedish freighter Kolsnaren, were put up at the Bellevue Stratford and when the managing director of that hotel asked the Variety Club to help, a special show was secured for showing at the club's quarters in the hotel. Nat Levy, RKO district manager, who happened to be in the club at the time the request was made, co-operated with committee head Bill MacAvoy and contributed an entire show from RKO. Program was "Too Many Girls, the RAF March of Time release, a single reel, and a two-reel comedy. Later, club members contributed clothing to the seamen, who are walking around the hotel in slippers. The hotel is giving quarters n. c.

At first the men were to have been transported to the local Carman for a show, but it was discovered most of them didn't have the proper clothing.

Metro Assigns Ruth Hussey

West Coast Bureau of THE FILM DAILY Hollywood — Metro has assigned Ruth Hussey to the feminine lead opposite Spencer Tracy in "Dr. Ephraim McDowell," biographical film of the noted pioneer surgeon.

James D. Parham Dead

Charleston, S. C. — James D. Parham, 27, THE FILM DAILY staff correspondent here, died of a throat infection.

REVIEWS OF NEW FILMS

"Little Miss Molly"

with Maureen O'Hara, Binkie Stuart, Tom Burke, Phillip Reed. 64 Mins.

MONOGRAM ENGAGING PROGRAM OFFERING SHOULD INTEREST IRISH AND NABE AUDIENCES.

An Irish import being handled here by Monogram, this film has a number of engaging qualities that offset its other faults. Picture should interest Irish fans and nabe audiences. Maureen O'Hara's name has some marquee value. Tom Burke is well known as a tenor, and Binkie Stuart, youthful Irish star, and Phillip Reed, are known. Exhibitors can also exploit fairy tale qualities of the film and Burke's singing.

Miss O'Hara, who has several years younger than she is now when this picture was made, is more than adequate in her role. Young Miss Stuart sings, dances and prattles her way through a rather exacting role with ability. Tom Burke sings several pieces beautifully in his lovely Irish tenor, and Phillip Reed fits the role of leading man neatly. Remainder of the cast is adequate. Alex Bryce directed the film. Several technical faults are apparent and the continuity is somewhat ragged, but these items can be overlooked.

An orphan's plight has been whipped into a touching little fairy story with a happy ending for the benefit of the audiences, with numerous difficulties and other happenings woven together before the happy ending arrives.

CAST: Maureen O'Hara, Binkie Stuart, Tom Burke, Phillip Reed, Maire O'Neil, C. Denier Warren, Maureen Moore, Franklin Kelsey, Leo McCabe, Paddy.

CREDITS: Producer, John Argyle; Director, Alex Bryce; Screenplay, Ian Walker and Alex Bryce; Original story, J. F. Argyle; Cameraman, R. Anscombe; Editor, F. H. Bickerton.

DIRECTION, Adequate. PHOTOGRAPHY, Fair.

NWMP Will Play Midwest Circuits at Higher Prices

(Continued from Page 1)

lowing the U. S. premiere in Chicago on Oct. 24.

The entire Butterfield circuit of more than 100 theaters in Michigan has set "North West Mounted Police" at increased prices scales, as has the Fox Wisconsin Amusement Enterprises for bookings in Milwaukee, Madison and Green Bay.

Same policy will be adopted by Fred Dolle for his Rialto and Circle Theaters in Louisville and Indianapolis, respectively, and by Jules Rubens, general manager of the Great States circuit, for Peoria, Springfield, Danville, Decatur and South Bend, with others to be announced shortly.

Cecil B. De Mille, Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster, Robert Preston and Lynne Overman will attend the Chicago premiere.

"Triple Justice"

with George O'Brien, Virginia Vale, Harry Woods. 66 Mins.

RKO PLENTIFUL ACTION, AN ABLE CAST AND INTERESTING STORY PUT THIS WESTERN OVER.

Latest in RKO's western series starring George O'Brien, this one should be well received by the action trade. It has plenty of action, good outdoor locations, an able cast and a snappy pace that keeps going at top speed right to the last gun shot.

O'Brien does everything required of him with dispatch, shooting, riding and walloping the villains in rough and tumble fights. Virginia Vale and Peggy Shannon take care of the female assignments. LeRoy Mason, cast on the side of law and order for a change, is adequate in a supporting role, and Harry Woods is effective as the chief villain of a villainous crew that makes all the trouble. David Howard directed.

O'Brien, on his way to Mason's wedding, gets mixed up in a bank holdup, loses his identification papers and is jailed by Woods, chief deputy under Mason, who is in a coma from a gun shot wound. Woods plans to frame the holdup and murder of a bank teller on O'Brien, hanging him before Mason recovers consciousness and identifies him. O'Brien has different ideas though, and, escaping from the jail tracks down the bandits one by one, with a good free-for-all fight winding the picture up.

CAST: George O'Brien, Virginia Vale, Peggy Shannon, Harry Woods, Paul Fix, LeRoy Mason, Glenn Strange, Malcolm McTaggart, Robert McKenzie, Wilfred Lucas.

CREDITS: Producer, Bert Gilroy; Director, David Howard; Screenplay, Arthur V. Jones and Morton Grant; Story, Arnold Belgard and Jack Roberts; Cameraman, J. Roy Hunt; Editor, Frederic Knudson.

DIRECTION, Snappy. PHOTOGRAPHY, Good.

Warner British Feature Clicks in Toronto Debut

Toronto — "George and Margaret," a Warner feature produced in England, opened at the Eglinton theater here this week to capacity business, and will be held over for an extended engagement.

The British production opens at the Snowdon Theater, Montreal, Sunday, where it is booked for an unlimited engagement. Famous Players Canadian is booking the feature in all "A" houses across Canada.

Barrymore Buys Play Contract

West Coast Bureau of THE FILM DAILY

Hollywood — Referee in bankruptcy yesterday approved an arrangement for John Barrymore to pay \$15,000 for his contract to appear in Aldrich and Myers' stage production, "My Dear Children," so that he may accept film engagements which will bring more money to Barrymore to pay to his creditors. Both creditors and the stage producers have approved the settlement.

☆ SHORTS ☆

"Tangled Television"

Columbia Amusing Cartoon 7½ mins.

An explanation is made to the cartoon audience of how television happened to come about, and a demonstration is started by the professors responsible for this new scientific wrinkle. Amazing things happen from there on as the audience is taken on an optical journey of the world. It's amusing.

"Farmer Tom Thumb"

Columbia Weak Cartoon 6 mins.

Tom Thumb is born two inches tall and never gets any larger to the disappointment and amazement of his parents. His father and mother are annoyed at a number of escapades he gets into because of his size. At the age of 16 he is no help to his father, and the farm is going to be sold because of conditions. Tom discovers some new fangled farm vitamins which save the day.

U. S. Film Men in Orient To Stay Despite Order

(Continued from Page 1)

yesterday. It is understood that the representatives plan to stay until the crisis becomes more severe.

Defense Tax Hits B. O.; Chi. Nabes Cut Prices

(Continued from Page 1)

Fox, Fie, Rio, B & K Alba theater cut matinee admission to 20 cents, but holding evening prices.

Local 702 Calls Strike At Producers Laboratory

Producers Laboratory was struck yesterday by Local 702, lab. technicians union, with the union asserting that J. T. Cosman, president of the laboratory, had breached the union contract. The union stated that a clause in the contract which called for vacation with pay for the lab. employees before Sept. 30 had not been lived up to. Cosman asserted that the dispute was over a "union matter" and had nothing to do with the employees or contractual difficulties.

\$50,000 in Bowling Prizes Worries Chicago Theaters

Chicago — Local theater men, already apprehensive over bowling's b.o. inroads as a result of last year's experience, see a further threat in the 17,526 prizes, totaling \$50,000, offered to the nation's bowlers by the Brunswick, Balke, Collender Co.

However, that isn't keeping local Film Row and theater circuit men from bowling. B & K, Warners and Essaness are in the field with bowling leagues.

ARIZONA

... its scope and personality!

"ARIZONA"

... because it was recognized as destined to be one of the

greatest of motion pictures... proved by that very fact to be also

one of the most arduous... and ultimately one of the most

heart-satisfying production problems ever

faced by a studio.

For

here was more than a mammoth outdoor spectacle

of adventure

and romance . . . entailing the construction of a complete

walled

city . . . the painstaking selection, transportation, housing and feeding of

thousands of actors... the purchase and care of herds of cattle and livestock... and months of endless

research for authentic, unassailable historical accuracy. All of this has been approached before. But

here too was an intensely human and significant drama of living,

breathing people... fiercely

individual characters, all of them... engaged in building with

their sweat, blood and lives,

the splendid heritage that is the West today. First of all,

who in all Hollywood

could adequately portray the truly epic role of Phoebe Titus?

What actress in all the

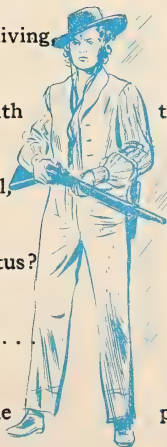
world could combine in one woman the indomitable spirit . . .

the fighting courage... and

the infinite tenderness of this fiery, fearless daughter of the

plains... who, with bull-

whip and bullet, held her own against a lawless world of savage men?



PERFORMANCE!

GREAT PERFORMANCE! That's what was wanted! After a most careful survey of avail-

LOVELY...VITAL...

the deep-throated

Arthur will immor-



able names...star names...Jean Arthur was selected.

BRILLIANT...CHARMING Jean Arthur! Jean Arthur of

voice...of "Mr. Deeds"...of "Mr. Smith"! THAT Jean

talize Phoebe Titus. Next came the selection of an actor to play

boyish Peter Muncie...the adventurer who courted Phoebe with a gun on

his knee. Tests...tests...tests! William Holden had the quality! A grand

magnificently full of great promise! Here IS your Peter Muncie...

there was Jefferson Carteret...debonair killer and gambler, where the

life and death. Who but Warren William, the quintessence of suaveness,

this high-hatted devil of the desert come to such terrifying,

And Lazarus Ward? Who could play this toad of a man...whose bloody path to

riches ended with a bullet in the back? Your cheers for Porter Hall's unforgettable

portrayal will be the thrilling answer. And Solomon Warner...and Judge Bogardus

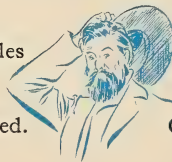
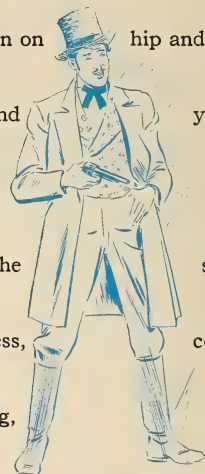
...and all the rest of this brave company of adventurers...seeking to carve an empire out of cactus,

adobe, desert and sky? Wesley Ruggles

is being made. The final note is being scored.

soon be ready to take its place among the great masterpieces of the

judgment will be yours...and that of America's millions.



Allied's Conditions Not in the Decree

(Continued from Page 1)

embodied in an ad interim decree. There are other reasons why a settlement is desired. The outcome of the litigation is problematical. I am confident that the evidence available in the Paramount case would bring victory to the Government, if not in Judge Goddard's court, then in the Supreme Court. But Attorney Generals change—also they change their minds—and witnesses die off or are bought off. Besides a trial means hopes long deferred and the need for relief is immediate and pressing.

"Certain industry politicians, eager for publicity, would have served the exhibitors better by closer co-operation with the investigating powers. In March we received from the Department of Justice a proposal for settlement of the suit that had been worked out by the Department of Commerce. The board of directors was polled by mail in reference to the document and a consensus of their views was sent to the Attorney General.

Safeguards Overlooked

"The letter criticized the several provisions of the plan. As regards the proposal that pictures be sold in small blocks instead of large ones, the letter pointed out that poor pictures could still be forced with the good ones. After the trial was started and halted, the executive committee was summoned to Washington and decided to recede from its opposition thereto, provided certain enumerated conditions and safeguards were included in the decree, these conditions and safeguards, if adopted would have conferred on the exhibitors benefits that would have offset in large measure the objections in the proposed selling plan.

"Then on August 3, I was summoned to receive a final draft of the decree. This was made public at that time. The draft did not include any of Allied's conditions and safeguards on the five-block plan. Weasel words had been artfully inserted into other provisions of early drafts which had been free from such taints. On August 15, the executive committee concluded that the proposals are wholly inadequate from the standpoint of both the independent exhibitor and the public.

"Negotiations are still under way and we can still hope that at least some of our points will be met," concluded Myers.

167 Theaters Represented

Approximately 250 men and women representing 167 independent motion picture theaters in 65 Michigan cities, together with representatives of several producing and distributing companies comprised the group which opened the convention Tuesday. The morning was devoted to golf, and the appearance of H. M. Richey, M-G-M executive, before a large luncheon gathering of Jackson BPW club members and women

Goddard Refers Ohio Squawk Complaints Should Go to Arnold, Wood Told

Columbus, O. — Federal Judge Henry W. Goddard, presiding at the trial of the New York equity suit, is not disposed to personally consider exhibitor protests against terms of the proposed consent decree.

The jurist so indicates in a letter received by Pete J. Wood, secretary of the ITO of Ohio, in response to the protest filed by Columbus exhibitors against the "block-of-five" provision of the proposed decree.

Judge Goddard writes: "I am informed today that counsel for the various parties have been working on a possible consent decree and are hopeful of reaching an agreement on one before long. As you undoubtedly realize, the terms and conditions of such a decree depends largely upon the consent of the parties to the suit. So that the Government, which represents the general public in the litigation, may be advised of your position I am referring your letter and communication to the Honorable Thurman Arnold, Assistant Attorney General, Department of Justice, for his consideration and to whom any other recommendations you may have to make should be addressed."

Cleve. Exhibs. Petition Against Blocks of Five

Cleveland—The following petition

Patterson Suit Settled

Settlement of a \$15,000 damage suit brought by Frederick Beck Patterson against Century Productions, Samuel Cummins, Empire Laboratories, Richard Fiedler, Carveth Wells, and Bob-Ed Theaters Corp., was filed yesterday in the Federal Court. Complaint claimed appropriation of scenes from plaintiff's film "Shooting Big Game In Africa" in "The Jungle Killer." Settlement calls for payment of \$2,000.

guests. In the evening a Bohemian dinner and entertainment was given.

W. S. McLaren, Michigan Theater manager, arranged the details for the convention. Reservations, both for the convention and for the various meals were in charge of Miss Pearl M. Sprott of Detroit, business manager of the organization.

Officers Elected

Officers elected by Allied Theaters of Michizan at the closing session are: president, Ray Branch of Hastings; vice-president, W. James Olson of Clare; secretary-treasurer, Edward E. Kirchner of Detroit; business manager, Pearl M. Sprott of Detroit; directors, B. Echler of Charlotte; Henry Carlev of Holland; William Cassidy of Midland; Glen A. Cross of Battle Creek; Allen Johnson of Grand Rapids; Fred Pennell of Decatur; P. C. Schram of Kalamazoo; William Schulte of Detroit; Walter Semevn of Grand Rapids; J. E. Stocker of Detroit; W. G. Thiek of Marshall and Fred Witters of Saginaw.

A banquet and entertainment program concluded the convention.

was signed yesterday by independent exhibitors representing 57 theaters and a similar but elaborated petition was sent to Attorney General Robert Jackson and Thurman W. Arnold in Washington:

"Adoption of the five-picture clause in the consent decree will cause inestimable chaos and multiply manifold the disadvantages under which independent theater owners operate their theaters and will not only increase film rentals but prevent elimination of undesirable pictures. The undersigned independent theaters of Cleveland therefore protest the inclusion of the foregoing provision in the decree and urgently recommend that the decree provide for a clear-cut, sincere, honest, 20 per cent cancellation clause applicable to all groups of pictures leased."

The petition was signed by the Community Circuit of 10 theaters; Associated Theaters, 10 theaters; Gusdanovic Circuit Theaters; Scoville-Essick-Reif Circuit of seven theaters; Abe Kramer, four theaters; H. Stecker, eight theaters; Charles Gottlob, three theaters; Ernest Schwartz, three theaters; John Urbanski, two theaters; Frank Porozynski, two; Henry Glaag, two; Oscar Stotter, two.

D. C. Commission Orders Licensing of Operators

(Continued from Page 1)

several times, exempts the controversial provisions to limit working hours of such operators after representatives of the producers and unions had agreed to set up their own standards in that phase of the relationship.

Licenses will cost \$10 and go into effect Nov. 1, the original draft providing a 40-hour week with maximum work periods of eight hours and minimum rest periods of four hours.

The labor standards under the new arrangement will be negotiated between the motion picture operators' union, which was represented in the discussion by Emil Holz, business representative, and the Motion Picture Theater Managers' Association, represented by A. Julian Brylawski. Annual examination will be given operators under the new regulations.

Dismissal Plea Denied In James-Republic Suit

Application to dismiss the infringement suit of Marquis James against Republic Productions and to restrain examination of witnesses was denied yesterday by Federal Judge Alfred C. Cox. Complaint claimed that "Man of Conquest" plagiarizes James' biography of Sam Houston called "The Raven."

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD

BRADBURY FOOTE, MGM writer, is laying out an itinerary for a trip through Oklahoma hill country, in search of authentic background material for his current script, "Billy The Kid." He will search out the old stamping grounds of the notorious outlaw.

OUR Passing Show:—Darryl Zanuck, Mervyn LeRoy, Claudette Colbert, Pandro Berman, Irving Berlin, Alice Faye, Mack Gordon, Marc Lachman, Harry Warren at preview of "Down Argentine Way."

PRODUCER-Director Andrew L. Stone will fly to San Francisco to witness "Swan Lake," a ballet, which is being produced for the first time in America by the San Francisco Opera ballet. He is especially interested in seeing Janet Reed, the red-haired prima ballerina.

CLAUDE BINYON, Columbia writer, believed he was the only writer in his family, but when he had his family tree traced he discovered that he is a distant relative of Lawrence Binyon, English poet, who wrote "Lyric Poems," "London Visions," "Odes," "Attilla" and "The Sirens."

MORE Passing Show: Harry Sherman, Phil Goldstone, John McCormick, Crane Wilbur, Val Paul, E. H. Goldstein, Arthur Eddy, George Landy, Dore Schary, Harold Hecht, S'moon Adams, Phil L. Ryan, Edward Ward, A. W. Hackel, Virginia Wood, Margaret Ettinger, Benjamin Leven, Paul Franklin, Maxwell Shane lunching at the Hollywood Brown Derby.

CHARLIE RUGGLES, who emceed at the "Knute Rockne" premiere in South Bend, was seen off at the train by his brother, Director Wesley Ruggles. As Charlie boarded the train, Wesley presented him with a going-away present — a huge stuffed owl.

BACK in 1912 an argument raged as to which "independent photoplayer" had been the first to make a personal appearance. The late Bert Alder contended that, with the exception of Marie "The Than-hour Kid," Frank Crane could claim the honor. Others claimed that Billy Quirk, of Solax, was entitled to the distinction.

DICK WEBSTER, contact man for the band department of the William Morris Agency, is the father of a baby girl.

CHRISTINE CABANNE, daughter of Director Christy Cabanne, and Marguerite Jennings, daughter of the late DeWitt Jennings, have been signed by Desider Pek, playwright-producer, for leading roles in "Forty Thousand Smiths" opening at the Ben Bard Playhouse Oct. 22 for a week's run. Pek is still dickering for Sibyl Bowan for the starring role, but stage commitments in the East may prevent her from accepting.

Last Chance to Ask For Decree Changes

(Continued from Page 1)

panies objected to certain provisions in these standard clauses and argued that they were inapplicable to the motion picture industry.

Department officials then told company representatives that suggestions would be taken under advisement for decision by Assistant Attorney General Thurman W. Arnold on his return to Washington tomorrow.

Meanwhile, in Washington yesterday THE FILM DAILY learned that the D of J confidently expects the final decree to be worked out within the next week or 10 days. It will be submitted to Arnold at a Washington meeting, and is expected promptly to be turned over to Attorney General Robert Jackson for okay.

Government spokesmen have advised the companies that the D of J has no further changes to suggest on its part, indicating that exhibitors' protests against certain provisions are to be wholly ignored. In addition to today's conference another will be held tomorrow, it was stated, to discuss the arbitration rules.

Government officials were almost certain that no decree will be ready on Tuesday when Federal Judge Henry W. Goddard sits again on the case, but added that a formal statement might be made at that time.

Modification of FWC, B & K Consent Decrees Is Studied

An important part of the D of J industry confab in Washington Tuesday concerned itself with the disposition of collateral film litigation not having to do directly with the pending New York equity suit consent decree, but inextricably tied up with the entire question, THE FILM DAILY learned yesterday.

Particularly under discussion was the effect of the proposed decree in the local suit on the consent decrees entered some time ago in the Balaban & Katz and Fox West Coast cases. Attorneys for the majors pointed out that this situation might present the problem of violating one of those decrees by conforming to the decree now being prepared. To eliminate this, the conferees spent much time working toward modifying the decrees already entered to conform to the decree to be adopted.

THE FILM DAILY was told, however, that this discussion did not involve action for past violations of the B & K decree or the Fox West Coast decree. Contempt proceedings filed in Chicago and Los Angeles for past violations will go forward, it was stated, and this phase did not come in for discussion at the parley. No final decision was reached on this phase and discussions concerning it will continue.

Earlier "George" Opening

Film Alliance's "Let George Do It" starts Saturday at the Globe. Original date announced was the 19th.

NEWS OF THE DAY

Kenosha, Wis.—Louis Nye, formerly manager of Standard Theaters' Lake Geneva Theater at Lake Geneva, has been named manager of the circuit's Gateway here, succeeding Tom Reilly.

Lewisville, Ark.—Tommy Collins has been named manager of the Crystal Theater here.

Detroit—Oliver Amusement Corp. has been formed by Thomas Moule and David Newman, circuit operators, to operate the newly-acquired Oliver Theater.

Akron—Bill Hall, formerly with the local Loew circuit, has been named manager of the Nixon Theater recently acquired from the Charles P. Stalder estate by F. H. Hathaway and associates.

Cleveland—Milt Hope, doorman at Loew's State Theater, has been pro-

moted to assistant manager at Loew's Park where he succeeds "Sly" Pierce.

Lafayette, Ala.—E. M. Jennings of Fitzgerald, Ga. has come here as manager of the Martin Theater.

Milwaukee—Foster Liederbach, formerly manager of Warner-Saxe's Mirth, has been named manager of Fox's Layton Park succeeding Joe Klauzer, who has been transferred to the circuit's Riviera, where he succeeds Ted Kraft, who has been switched to the circuit's Zenith. Another shift in the Fox personnel on the city's South Side puts Buster Miehle in charge of its World.

Richmond, Va.—Arthur Holmes, who has been electrician for the local Wilmer & Vincent theaters for almost a quarter of a century, has resigned.

B. E. Norrish Elected Proxy of Quebec ATI

(Continued from Page 1)

tion Amusements; secretary, E. Beaulac; Directors, B. E. Norrish, G. Ganetakos, J. A. S. Hirsch, William Lester, E. M. Tabah, N. H. Lawand, J. A. De Seve, A. Adelman, George Rotsky, B. C. Salamis, of Montreal, and D. Paquin, Hull; C. H. Brock, Cowansville; Albert Bey, Thetford Mines; T. H. Trow, Three Rivers; Ed. Gauthier, Sorel; Leo Choquette, Farnham.

The executive committee was elected as follows: J. H. Hirsch, chairman; George Ganetakos, N. N. Lawand, T. H. Trow, J. A. De Seve, William Lester, B. E. Norrish, E. N. Tabah, and Eugene Beaulac.

The yearly report submitted by the secretary-treasurer Eugene Beaulac showed that progress has been made in inducing the Provincial Government to alleviate the severity of the ban on admission of juveniles under 16. Of particular importance, he said, was the fact that the Executive Committee had succeeded in preventing further inroads of the tax collector on the film industry.

A special committee of members was formed to study the competition of Parish Hall shows which operate without paying amusement tax and are free from the ban of admitting children.

To Reopen Birmingham House?

Birmingham, Ala.—Jefferson Theater, long closed, will reopen shortly after Nov. 1 for a season of stock, if deal which Ted Barker is talking with the Wilby interests is closed.

"Flesh" In Alliance House

Alliance, O.—After a summer of dual first-run film policy, Columbia theater here pets its first stage show tomorrow, when "Bell's Hawaiian Follies" will share the program.

John Hay Whitney Given Federal Post

(Continued from Page 1)

of Selznick International will assist Young in his duties. Whitney is donating his services to the Government. He is vice-president of the Museum of Modern Art in New York and President of its Film Library.

Young, a former official of J. Walter Thompson Co., who has been serving as an assistant in the raw materials division of the Defense Commission and presently Director of the Foreign and Domestic Commerce, will have supervision of the radio, press and motion picture programs of the Office of Co-ordination.

New House For Ft. Smith

Ft. Smith, Ark.—New Plaza Theater building, to be erected at 1014 Garrison Ave., on the site of the old Mystic Theater, will cost approximately \$30,000. Building is expected to be completed within 60 days.

LODGE NO. 1366 * B'NAI B'RITH
Cinema

FIRST ANNUAL BANQUET and BALL

The EVENT of the YEAR

First Public Appearance of

BENNY GOODMAN

AND HIS NEW ORCHESTRA

... your Dance Music
for the evening!

PLUS a roster of talent that will
include the biggest names in town.

HOTEL PENNSYLVANIA

SATURDAY

OCTOBER 26th



Subscription
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THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 73—First Section

NEW YORK, FRIDAY, OCTOBER 11, 1940

TEN CENTS

REPORT CONSENT PARLEYS HITTING SNAGS Midwest Divided On Increased Admission Prices

Opponents of Higher Prices Hold Slight Lead Over Advocates of Plan

The Midwest appears to be the center of divided opinions on the question of increased admission prices, either generally or for specific pictures. While other regions apparently have a "yes or no" attitude on the issue, at least four key city territories in Midwestern states reflect an attitude of indecision, although there are plenty of pro and con advocates.

In Des Moines, a checkup reveals that Iowa exhibitors and distributors are not uniformly in accord on Joseph Bernhard's opinion regarding in-

(Continued on Page 6)

Propaganda Pix Said To Be Handled by Ufa

Non-Sectarian Anti-Nazi League charges that the New York Ufa office, is being used to distribute German propaganda pictures throughout the Western Hemisphere. The League contends that Ufa is a shipping point for pictures reportedly "glorifying the new Germany" and that several features, newsreels and serials are being sent throughout the U. S. and Latin-American countries.

The newsreels, the League asserts,

(Continued on Page 7)

"U" Denies All Charges In Stockholders' Suit

Categorical denial of all charges made by Samuel Posen, a director of Universal Pictures, Celia Brown, and Esther M. Tolmach, is made in an answer filed by Universal yesterday.

(Continued on Page 10)

3 M-G-M Pix Booked For R. C. Music Hall

Radio City Music Hall has booked three M-G-M pictures for Fall showings. They are "Escape," "The Philadelphia Story" and "Bitter Sweet." It is planned tentatively to open "Escape" early in November.

Re-employment Promised to RKO Workers Who Leave to Enter Military Service

Ned Depinet, vice-president of RKO, has announced that it will be the policy of the company to re-employ all men leaving RKO for military service. In a letter to employees, Depinet said that the re-employment policy would cover men who were called through conscription, members of the National Guard or those who voluntarily enlisted.

LaCrosse Trust Suit Trial Starts Oct. 21

Madison, Wis.—Anti-trust action started by the La Crosse Theater Co., Inc., operator of five La Crosse, Wis., houses more than a year ago against major distributing companies, is scheduled to be heard in Federal Court here Oct. 21.

The La Crosse firm in its complaint charges the distributing firms with conspiracy and maintaining a monopoly for the purpose of lessening competition and restraining interstate trade.

Also named in the original action was the Welworth Theater Co., Minneapolis, operator of the Hollywood and Fifth Avenue theaters in La Crosse. The company is seeking more than \$1,000,000 in damages.

Arkansas ITO to Meet In Little Rock in Nov.

Little Rock, Ark.—Board of Directors of the Ark. ITO has decided upon Nov. 17-18 as the convention date for the group. The meeting will be held at the Hotel Marion,

(Continued on Page 7)

Argentina Wants Quality Pix Reduction in "B's" Okay With B. A. Exhibs

Archbishop Bans Bingo In Churches of Quebec

Montreal—Bingo, forbidden in motion pictures in the province of Quebec, but until now permitted in aid of churches and charities, is, to the gratification of theater managers, removed from the list of competing amusement by a decision of Arch-

(Continued on Page 6)

Spanish Production Making Fast Gains

Washington Bureau of THE FILM DAILY

Washington—The American Commercial Attache in Madrid, has reported to the Commerce Department that Spanish production has made notable progress since the termination of the civil war.

Prior to the conflict Spanish output of films had been slowly developing, but severe competition from American, German, French and Italian pictures tended to check the growth of the domestic industry. During the period which has transpired since peace was declared in April, 1939, Spanish studios have produced 24 feature films as well

(Continued on Page 7)

Kreisler Named Univ. Short Subjects Manager

B. B. Kreisler has been appointed short subjects sales manager of Universal by William Scully, general sales manager. He succeeds Leo Abrams who recently resigned.

Kreisler recently was promoted to

(Continued on Page 7)

Obstacles Said to Be Delaying Settlement; See New Revisions

Serious snags in the negotiations between the five majors conferring with the D of J on a proposed consent decree arose yesterday, sources close to the negotiators intimated last night following a huddle with Government representatives at the Bar Association Building. It is understood that these obstacles were disclosed for the first time during the meeting held in Washington earlier in the week and that yesterday's conference had not succeeded in bringing harmony between the negotiating parties.

One source hinted that the com-

(Continued on Page 6)

III. UTO Becomes State-Wide Unit

Mt. Vernon, Ill.—United Theater Owners of Illinois became a statewide organization yesterday with the election of seven additional members to the board of directors thus completing the roster.

New members were exhibitors from cities in Southern Illinois and

(Continued on Page 7)

ITOA Poll Reveals One Exhib. Favors 5-Pix Plan

Final tabulation of the ITOA poll on the blocks-of-five issue reveals that only one exhibitor out of 365 who replied to a questionnaire favored the proposed method of buying pictures. Exhibitors were asked

(Continued on Page 7)

Judge Goddard Asked To Veto 5-Pix Clause

Cleveland—At a meeting yesterday of Cleveland exhibitors representing a majority of the local independent theaters, a petition was sent to Federal Judge Goddard asking that he veto the five-picture clause when the proposed consent decree comes before him for approval. Judge Goddard is expected to receive the decree next week.

(Continued on Page 10)



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First Section

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DONALD M. MERSEUREAU : General Manager

CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Thursday, Oct. 10)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.				
Col. Pict. vcs. (2½%)	5 1/4	5 1/4	5 1/4	+ 1/4
Columbia Pict. pfd.				
Con. Fm. Ind. pfd.	11-16	11-16	11-16	+3-16
Con. Fm. Ind. pfd.				
East. Kodak	131 3/4	131	131 1/4	+ 1/8
do pfd.				
Gen. Th. Eq.	10 1/2	10 1/2	10 1/2	+ 1/4
Loew's Inc.	25 1/2	25 1/2	25 1/2	+ 1/4
do pfd.				
Paramount	7 3/4	7 1/4	7 1/2	+ 1/4
Paramount 1st pfd.	8 1/2	8 1/2	8 1/2	+ 1/8
Paramount 2nd pfd.	9	8 3/4	9	+ 1/8
Pathe Film	10 1/2	10	10 1/4	+ 3/8
RKO				
20th Century-Fox	5 3/4	5 1/2	5 1/2	+ 1/4
20th Century-Fox pfd.	15 3/4	15 1/2	15 1/2	+ 1/2
Univ. Pict. pfd.				
Warner Bros.	2 1/2	2 1/2	2 1/2	- 1/8
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6446	
Loew's deb. 3½-646	103 3/4
Para. B'way 3-55	
Para. Pict. 6-55	
Para. Pict. ex. 3-4-47	
Warner Bros. deb. 6-48 85	

NEW YORK CURB MARKET

Monogram Pict.	
Sonotone Corp.	
Technicolor	9 1/8
Trans-Lux	1 1/4
Universal Corp. vts.	1 1/4
Universal Pict.	

English Dialogue Pix Up 10 Per Cent in Peru

Lima, Peru.—Playing time of English dialogue pictures in the Lima-Callao district for the first four months of this year was 77.7 per cent, an increase of 10.1 per cent over the same months of 1939. Spanish dialogue films were 18.3 per cent and French four per cent during January-April 1940.

'Knew What They Wanted' Has Premiere at M. H.

RKO's "They Knew What They Wanted" had its premiere at Radio City Music Hall last night.

From Hollywood came Garson Kanin and Erich Pommer, director and producer respectively of the picture, and Elsa Lanchester, wife of Charles Laughton, who is co-starred in it with Carole Lombard.

Broadway's contingent included Producer Harry Goetz, Theater Guild executives, associates of the Playwrights Company, members of the Pulitzer Prize Committee, Gail Patrick, Sam Levine, and Ruth Gordon, prominently cast in recent RKO Radio productions, and Janet Fox who was called from a part in "Higher and Higher" to play a role in "They Knew What They Wanted."

Suit Over "Pastor Hall" Settled for \$2,500

Settlement calling for the payment of \$2,500 and five per cent of the gross of "Pastor Hall" was filed yesterday in the Federal Court on the suit of George Garfield, as administrator of the estate of Ernst Toller, against UA, James Roosevelt and Grand National Pictures, Ltd. The complaint had asserted that the defendants were unauthorized to use Toller's book in the production of the picture. Defendants answer claimed the purchase of the film rights.

Berton Churchill Dies; Had Been in 200 Films

Berton Churchill, screen character actor, died yesterday at Medical Arts Hospital. He was 64 years old and had played in about 200 pictures since 1922.

Churchill was to have appeared in a stage play, "George Washington Slept Here," due to open next week.

Games Out in Philly Houses But Market Puts in Bingo

Philadelphia—Giant Tiger market here is introducing Bingo, with food-stuffs as prizes.

Games have been out of local theaters for some time, money awards being frowned upon.

Great States Biz Drive

Chicago—Great States Circuit will shortly start its fifth anniversary business drive honoring Barney Balaban, Para. prexy.

Orders Chi. Bingo Club Probe

Chicago—Mayor Edward Kelly of Chicago has ordered the police department to investigate Bingo Clubs which exhibs. claim are hurting their business.

B & K Hearing Oct. 28

Chicago—Hearing before the Master in the B & K contempt case has been set for Oct. 28 at Ottawa, Ill. Exemptions to his report will be heard.

W. R. Lynch Resigns From Para. Enterprises

Miami, Fla.—W. R. Lynch, general manager of Paramount Enterprises, Inc., has resigned. Health condition is given as the reason for the move. Lynch became manager of the local company in January, 1937, at the beginning of a period of rapid expansion of the theater organization. Much progress has been made during his administration. Hy Fine, formerly connected with the M & P theaters as district manager in the New Haven, Conn. area, will succeed Lynch as general manager.

James Roosevelt Awaits Call to Marines Duty

West Coast Bureau of THE FILM DAILY

Hollywood — A spokesman for James Roosevelt, who has received a "stand by" order from Washington in anticipation of call to active duty with the 22nd Battalion of Marine Corps Reserves in which he is a Captain, said that Roosevelt will continue his film producing activities. It was stated that Roosevelt would make over-night air trips to Hollywood from wherever his reserve battalion is training, for conferences on his productions.

Boys Club to See "Rockne"

Members of the Madison Sq. Boys Club will be guests of the Young Reviewers organization at a special screening of "Knut Rockne—All American" today. The Boys Club members will have their opinions on the picture sent out to motion picture study groups throughout the country via the Young Reviewers Association.

Musis Injunction Dismissed

Dismissal of the injunction suit of F. Gilbert Pollay, doing business as Twentieth Century Music Publishers, against 20th-Fox Film Corp., and 20th-Century Music Corp., was ordered on stipulation by Federal Judge Murray Hulbert yesterday. Pollay had claimed that he was entitled to the exclusive use of the name Twentieth Century in the music field.

Form Kiddet Klub

Rochester — A Kiddet Klub has been organized by all Schine Theaters here. Youngsters who join the club are given membership cards, felt emblems, buttons, and receive a magazine with comics, stories and prizes. Birthday parties for members are held on the stages of the various Schine theaters.

NBR Retains Pub. Agency

The National Board of Review of Motion Pictures has retained Evelyn Gerstein Associates to handle press relations coincident to the Board's annual conference, scheduled here next month.

Metro Takes Option

Three month option has been taken by Metro on "Mrs. Miniver," new best seller by Jan Struther. Book is published by Harcourt Brace.

COMING and GOING

HUNT STROMBERG is here from the Coast. WILLIAM WALDHOLZ, head of the FHA shorts department, leaves here Monday for a week's business trip to Philadelphia and Scranton.

BERT WHEELER leaves for the Coast Sunday by car.

CHARLES LAUGHTON arrives here next week for a short stay before he continues a p.a. tour in conjunction with "They Knew What They Wanted" openings.

DON AMECHE leaves tomorrow for a short stay in Chicago before continuing to the Coast.

CARMEN MIRANDA arrives here Monday from Brazil on the Uruguay.

LEE BOWMAN is vacationing at his home in Cincinnati. He is expected here next week.

JOHN GARFIELD is at the Warwick.

IRENE RICH is at the Waldorf.

BEBE DANIELS and BEN LYON are expected here from Europe in the near future.

FRED W. BEETSON, secretary of AMPP, left the Coast Wednesday for New York, sailing via Panama.

RUSSELL BIRDWELL has returned to the Coast from New York.

Y. FRANK FREEMAN and BOB HOPE planned for a short stay to Memphis for yesterday's Red Cross benefit.

ESTHER RALSTON and her husband TED LLOYD, planned out of Hollywood yesterday for New York.

TONY MARTIN has arrived at the Coast for his role in Metro's "Ziegfeld Girl."

WESLEY RUGGLES and his wife planned out from the Coast yesterday for New York and a Cipper trip to South America.

Rites for Sam Behrendt At Coast This Morning

West Coast Bureau of THE FILM DAILY

Hollywood—Funeral services for Sam Behrendt, 61, veteran insurance man closely allied to the motion picture industry since its early days, who died of a cerebral hemorrhage following a long illness, will be held this morning from his home, 234 South Roxbury Drive, Beverly Hills.

For several years Behrendt was interested in Principal Pictures, also held an interest in Jackie Coogan Productions and in original West Coast Theaters organization.

J. Roosevelt to Speak

Pittsburgh, Pa.—John Harris, general chairman of the Variety Club's annual banquet, which will be held on Sunday evening, October 20, has announced that among the speakers on that occasion will be James Roosevelt and Attorney General McGraw of Texas. Additional speakers and entertainment will be announced at a later date.

Expect "Voyage" Take of \$48,000

The first day's business of "The Long Voyage Home," at the Rivoli indicates that receipts for the opening week will reach \$48,000, according to United Artists which states that both attendance and receipts are running neck-and-neck with Wanger's previous tenant at the Rivoli, "Foreign Correspondent."

The Wonder Roadshow THAT WILL WING YOUR
RECORDS TO HEIGHTS NO OTHER PICTURE EVER REACHED!



Alexander Korda presents

THE THIEF OF BAGDAD

in Magic Technicolor!

**SHOWMEN PREVIEWS
IN ALL KEY CITIES**

starting THURSDAY AND FRIDAY

October 17th and 18th

Your branch manager has tickets for you and your family. Contact him immediately and see the picture that dwarfs all other screen spectacles!

In the Los Angeles area, exhibitors will view its tremendous audience appeal during the \$2.20 long-run engagement starting Thursday, October 17th, at the Carthay Circle.

Released thru **UNITED ARTISTS**

I VISITED THE M-G-M STUDIOS!

By An Exhibitor

FOR years I've read about the
STUDIO that makes the hits!
UNTIL you see it with your own eyes
YOU don't know
THE half of it!
I SAW acres of activity, factories, mills—
I SAW power plants, office buildings—
I SAW miles of clean, wide streets
LINED with huge stages where
DREAMS come true!
I FOUND STABILITY! SECURITY!
I surveyed this exciting scene with the
PRIDE of partnership for truly
THE solidity of this Studio is
A cooperative responsibility
BETWEEN the men who make the pictures and
WE who exhibit them.
I WAS at the preview of

(continued above)

"THIRD Finger, Left Hand" (Myrna Loy, Melvyn Douglas)
I roared with that howling audience and
I predict it will top "I Love You Again."
I **SAT** with the first enthralled public to see
"ESCAPE" that great film from a great book!
(Norma Shearer is the Countess, Robert Taylor is the lover.)
I laughed and wept at Judy Garland's
"LITTLE Nellie Kelly" a darling of a show.
I attended the historic preview of
"THE Philadelphia Story," (a New Year's Gift!)
HERE is box-office entertainment that
SPARKLES with fun, romance and
CAST! (Cary Grant, Katharine Hepburn, James Stewart)
I **SAW** "Bitter Sweet" in the projection room!
SUCH opulence of Technicolor spectacle has
NEVER before graced the screen
SUCH music (Jeanette MacDonald, Nelson Eddy) has
NEVER been heard since magic sound began!
I'M thrilled to return to my theatre
INSPIRED by the infectious pep of M-G-M
BY my talks with its down-to-earth
PRODUCING staff, directors, executives!
BY the many M-G-M stars and by the
AMAZING group of young stars on the way UP!
I **SAW** the smoothest functioning organization
THAT the amusement world has ever known.
I'VE just signed a contract for 1940-41
WITH the one and only outfit
THE Friendly Company of M-G-M!

Midwest Is Divided Over Higher Scales

(Continued from Page 1)

creased admission prices. Cleveland exhibitors feel they are charging all that the patrons are willing to pay, in view of the raised prices to absorb the recent defense taxes. Divided opinions prevail in Detroit, while an "on the fence" attitude is in evidence in Chicago.

In all situations, however, the anti-increase groups hold a slight majority. Detailed reports from the four cities follow:

Chi. Indies Willing To Raise on Specials

Chicago—Leading independent theater owners here are adverse to raising admission prices unless the film is exceptional, a survey reveals. The apparent willingness to raise prices for special pictures is fairly uniform, although Van Nomikos, vice-president of Illinois Allied, said the tendency to hike prices was resented by customers on any picture in view of the increased tax. On the other hand, Arthur Schoenstadt, circuit head, declared that exceptional pictures justified higher admissions and that he had found the public willing to pay. The quality of the picture must be the determining factor, he indicated.

It is reported that B & K's hiking of prices for "Boom Town" was only partially successful, although it stayed four weeks at two theaters. Plans are now under way for tilting the scale for "Northwest Mounted Police" at the Chicago Theater, opening Oct. 24.

Iowa Exhibs. Agree With Joseph Bernhard

Des Moines, Ia.—Iowa exhibitors and distributors showed their opinion over Joseph Bernhard's statements regarding boosted prices on big pictures, but generally agreed with the Warner Brothers general manager.

Tri-States theaters reported boost-

Scientific and Industrial Advances of Next

50 Years to Pale Those of Past—Sarnoff

Chicago—Scientific and industrial advances of the next 50 years will pale those of the past into insignificance, David Sarnoff, RCA prexy, told the American Life convention here yesterday.

Sarnoff pointed to the release of atomic power through isolation of Uranium 235, and to the electron microscope, a product of radical research, as sign-posts to new vistas of civilization. As the result, coming generations, he believes, will dwell in a new economy of abundance; a new society will be born.

ed price on "Boom Town" was justified, according to the results so far indicated. No complaints had been received from the patrons.

It was pointed out that payrolls in Iowa have failed to make any rapid jumps and with business conditions below average, any attempt to increase prices would meet with reaction from the public. No general price increase has been attempted in Des Moines except for the same feature pictures and the recent tax boost.

L. H. Wasson of Central States was strongly opposed to any price juggling and contended that the movie industry needed volume which was impossible through higher prices.

Tri-State officials said no future booking was planned on films with boosted prices, at least for the rest of this year. It was also emphasized that no general raise in prices was planned either.

Several independent operators also agreed with Bernhard regarding a tendency to work towards a gradual increased scale, but pointed out competition makes this almost impossible.

Detroit Circuit Heads Favor Hike on Some Pix

Detroit—Opinion on raising admission prices generally, or for specific pictures like "Boom Town" is divided in this territory, with larger operators generally favoring the hike for better pictures, while independents are less willing to take the move.

Typical is the non-committal stand of Charles C. Perry, manager of the first-run Adams, that "Detroit has always maintained high prices. Where there have been forty-cent first-run houses as in many cities, of course the price should be boosted. Admissions, too, can be increased on specific pictures of proven quality—not necessarily proven box-office appeal. Increase should be all the way down the line from first-runs to subsequent ones."

Jack Hurford, manager of the first-run Fox, was definitely against boosting prices, telling FILM DAILY, "Everybody seems to think Detroit is in an era of prosperity—but it's a long way off still. I think, therefore, that raising prices on special pictures is bad."

The typical stand of several independents interviewed was summarized in the statement of Raymond E. Moon, manager of Mutual Theaters, booking combine representing many upstate and some Detroit houses:

"Reactions of exhibitors vary on price boosts. Some who raised on 'Boom Town' grossed a lot of money,

but we have not had actual experience on this picture yet with any of our own houses.

"The idea of raising prices is going to be abused, like everything else in the industry. While 'Boom Town' merited it, the experience will encourage other companies to ask increased admissions on films that don't deserve it, and it will cause more distributor-exhibitor bickerings than we have now. I think, however, that raising prices is all right for pictures that really merit it."

Cleveland Believes Public Is Paying Enough Now

Cleveland—As to spot boosts, Cleveland exhibitors have voiced opinions. "It is an excellent policy" states one prominent subsequent-run circuit owner, "but the trouble is that distributors will ask higher admission rates for pictures that should be sold at regular prices. Every distributor will think his pictures are in the higher bracket class. We used to raise admissions for the Mary Pickford, Douglas Fairbanks and Charlie Chaplin pictures and the public did not object because it was assured of higher entertainment value with these stars. Personally I do not think the policy will work today."

"The public pays enough for the average picture," another circuit owner claims. "In fact, he pays too much for most of them, so he is entitled to a good picture once in a while at the regular price of admission."

"The motion picture industry" states still another local theater owner, "was built on mass attendance. Singling out certain pictures for higher admissions puts those pictures out of the reach of those masses and defeats the real reason for the success of the industry."

It all simmers down to this: Cleveland exhibitors feel that they are charging just about as much as their theaters can stand today and while acknowledging the advantages to the distributor of higher scales, feel that only in rare and specific instances can it be accomplished; also, Cleveland exhibitors operating subsequent-run theaters, are opposed to spot boosts because they are of the opinion that the policy will be abused by the distributors.

On the other hand, "Boom Town" is now in its second week at Loew's State where it is playing at advanced prices. The first week's business was about 230 per cent better than average. And nobody squawked at the prices.

Report Decree Talks Hitting New Snags

(Continued from Page 1)

panies had asked for several changes which the Government felt were unacceptable, while the companies were insistent in their demands. Yesterday's meeting will be continued today with the Government making every effort to bring the companies into line. Some sources felt that successful settlement may not be reached without radical revision of the proposed decree as it stands at present.

Archbishop Bans Bingo In Churches of Quebec

(Continued from Page 1)

bishop Joseph Charbonneau, of Montreal.

Complaints from various sources, it is officially learned, resulted in the action. Many had protested that some players were in the habit of jeopardizing their relief allowances in the hope of winning the attractive cash prizes offered by some parochial organizations.

No reference was made to the legal aspect of the Bingo matter in the Archbishop's letters, it was learned.

Warners Cast "Gentle People"

West Coast Bureau of THE FILM DAILY

Hollywood—Cast of Warners' "Gentle People" from the Irwin Shaw play, will include Ann Sheridan, John Garfield, Thomas Mitchell and Albert Basserman. Jerry Wald and Richard Macaulay will do the adaptation.

Para. Assigns Writers

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has assigned A. I. Bezzerides and Meyer Levin to adapt their story, "Power House"; Virginia Van Upp to script "Dildo Cay," and Harry Clark and Ernest Pogano to prepare the script of "Las Vegas Nights."

WEDDING BELLS

Green Bay, Wis.—H. M. Corbett, manager of the Beverly Theater of the Warner circuit in Chicago, was married here last week to Miss Geraldine DeStauche.

Solomon M. Strausberg, vice-president of the Interboro Circuit, has announced his engagement to Miss Joan Phyllis Horwitz.

Des Moines, Ia.—Miss Florine F. Wieland of Central States Theater Corp., will marry Henry J. Plude, Jr., manager of Rocket theater, Rock Island, Ill., Oct. 30.

Pittsburgh—Ryna Mattes, of the Warner Theaters booking office, has announced the date of Nov. 3 for her marriage to David Farberow.

"Happy Birthday to You"



From
THE FILM
DAILY to

OCTOBER 11
Maurice Pivar
Lillian Hackett

OCTOBER 12

Joseph S. Skirball
William Nigh
Crawford Kent
James Bradbury, Sr.

Bob Doidge
Americo Abasz
George A. Noffka
John Graham

OCTOBER 13

Irene Rich
Harry Hershfield

Laraine Day

Spanish Production Making Fast Gains

(Continued from Page 1)

as many newsreels, short films and cartoons. Also, a number of foreign films have been dubbed, it is reported.

At the present time, there are 10 producing and five dubbing studios operating in Spain.

The advance in Spain's motion picture industry has been largely due to the stimulus given by Government regulating agencies which have made it difficult for foreign companies to introduce new films into Spain or to secure the films necessary for dubbing and making copies. Furthermore, a much larger group of native artists has been developed and production technique has improved steadily.

Kreiser Named Univ. Short Subjects Manager

(Continued from Page 1)

a special executive capacity after a successful two-year record as Universal's branch manager in Washington. His first position with Universal was as a salesman in Boston.

Arkansas ITO to Meet In Little Rock in Nov.

(Continued from Page 1)

Little Rock. O. G. Wren, Little Rock, is president; K. K. King, Searcy, is secretary, and W. E. Malin, Augusta, vice-president.

Greece Extends Pix Quota And Exchange Regulations

Athens (By Air Mail)—Quota and exchange regulations on the importation of films into Greece have been extended to June 30, 1941, with but one exception. The ministerial decree abolishes the requirement that exchange for the payment of royalties be made in five bi-monthly installments.

Hereafter payment for the total amount of royalties on feature films may be effected in the usual way, either by letter of credit at U. S. port of exit or cash against the documents at destination.

This eliminates one of the most burdensome of the regulations that have been in force since the outbreak of the European war.

Talk N. H. Labor Pacts

New Haven—Projectionists' local No. 273 will meet Sunday night, October 20, at Trades Council Hall, with Nelson Frazier presiding. Negotiations for new contracts with circuits and independents should be concluded by the end of this month, according to Business Manager Matthew Kennedy. Stage employees met Monday, October 28, with John O'Connell presiding.



● ● ● TO whatever pigskin battle.....you may journey this weekend.....(and who ain't).....you will see reflected in the play.....a lotta precision and genius.....imparted to the grid gladiators.....by your old friend.....the movies—By Gosh!, we never knew what a helluva lot of influence.....the now colossal brain-child of Tom Edison.....has on the manly art and science of football.....until we read what Bob (New York Times) Kelly had to say about it all.....in that revered newspaper's.....sports feature, "On College Grid-irons," yester morn.....Got a copy?.....Then get a back copy.....Interesting stuff.....

● ● ● THE Warner Club.....made up of the boys and girls.....in the vast WB org.....will hold its first informal Thanksgiving dinner-dance.....in the Hotel Commodore on Nov. 23.....Prexy Nat Fellman asserts.....there'll be a swell name-band.....and gobs o' stage, screen and radio celebs.....to entertain the Warneries and their guests. . . ● Aven't a lotta stars:.....a flock of 'em will appear on an exclusive version.....of "Northwest Mounted Police".....over the Mutual network on the night of Oct. 24.....from 8:30 to 9.....Broadcast will precede the U. S. premiere.....of the DeMille opus in Chicago.....Listeners will hear Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster, Robert Preston and Lynne Overman....

● ● ● NOW we know what a shock it must be.....to be standing at attention on a military parade ground.....minding your own business.....and suddenly have a dignitary of the nation.....step up and pin on your wishbone.....a Congressional Medal!.....Well, yes'day.....we was paying nobody no mind (as they say in Harlem).....when in streaks a minor fresh from the creek of Metro.....deliver in' a lapel button....."in recognition of your outstanding exploitation campaign on 'Boom Town'.....Congratulations.....(signed) William R. Ferguson.....Getting a button for a feature.....is a bit ironic.....Now if it were for "shorts".....

● ● ● ONE of the niftiest of cocktail receptions.....occurred yes'day afternoon on the Waldorf-Astoria's resplendent Starlight Roof.....which event honored Garson Kanin, director of RKO Radio's.....Radio City Music Hall's magnetic attraction....."They Knew What They Wanted".....and Producer Erich Pommer.....Industryites were out in force.....and the big name scribes as well.....S. Barret McCormick staged the affair.....and famously.....

● ● ● STUFF:.....Metro reminds that the only real rivals of the remarkable run of GWTW were those of "The Big Parade" and "Grand Hotel".....Hopi Indians from the Torveva Reservation in Arizona will be a special attraction tomorrow for the kid-patrons of RKO's 23rd St. and Coliseum Theaters.....Joan Crawford has moved from the Ritz Towers to the Savoy Plaza.....Cornell Wilde, WB actor, has been signed by Random House to illustrate cover design for "Fundamentals in Fencing,"—doubless 'cause he knows his stuff, having been on the 1936 Olympic fencing team.....

III. UTO Becomes State-Wide Unit

(Continued from Page 1)

part of a group of 40 that attended a meeting of UTOI at the Hotel Emerson here.

Additions to the board include the following: Mrs. I. W. Rodgers of Cairo; Steve Farrar of Harrisburg; Noah Bloomer of Belleville; S. E. Pirtle of Jerseyville; F. C. Souttar of St. Louis; Robert C. Cluser of Salem and George Barber of Villagrove.

Legislative problems confronting Illinois exhibitors took up most of the discussion while action on free movies, nickel-in-the-slot movies, film star appearances on radio and other kindred ailments of exhibition business was decided upon by the members.

Edward G. Zorn of Pontiac, president, presided at the meeting. William F. Crouch, executive secretary, also spoke revealing the rapid strides UTOI has made in membership, every county in the state now being represented. District meetings of the UTOI will be held in all parts of the state in November, it was announced.

Propaganda Pix Said To Be Handled by Ufa

(Continued from Page 1)

are in German, French, Italian and Spanish languages. Films are sent here by both clippers and ships to assure arrival, according to the League.

ITOA Poll Reveals One Exhib. Favors 5-Pix Plan

(Continued from Page 1)

if they preferred block-booking with cancellation or buying in blocks of five as stipulated in the consent decree.

English Boy to Remain With Sam Strausberg

Samuel Strausberg, president of the Interboro Circuit, has arranged to bring over an English boy who will live in the Strausberg home for the duration of the war.

Meanwhile, Stanley Kolbert, general manager of Interboro, has announced that employees called for military service will find their former jobs awaiting them provided they have been honorably discharged.

Pettengill to Miami

Miami—H. W. Pettengill has been appointed publicity and advertising manager for Paramount Enterprises, Inc. He was formerly connected with the Schine Circuit. He succeeds Karl Roller, who resigned some weeks ago.

20th-Fox Engages Hermes Pan

West Coast Bureau of THE FILM DAILY Hollywood—Hermes Pan has been signed by 20th-Fox to direct the dance numbers in "Tall, Dark and Handsome."

THEY KNEW WHA

**..AND THEY'RE
TELLING
THE WORLD!**

DAILY VARIETY SAYS-

"Premiere staged by RKO convinced San Franciscans that they, too, knew what they wanted...Police estimated crowd of 50,000 around theatre . . . House filled to capacity for three premiere shows."

EDWIN SCHALLERT, LOS ANGELES TIMES-

"San Francisco premiere proved the picture to be a noteworthy event in performances, story treatment and direction . . . Large crowds congregated in front of the theatre."

FILM DAILY SAYS-

"Should be big at the box-office...Splendid dramatic story, excellent performances, expert direction . . . Can easily qualify as one of the best dramatic efforts of recent years."

MOTION PICTURE DAILY SAYS-

"Moving and powerful . . . A strong story . . . of futility and hope, of sordid passions and idyllic love, of tragic sin and epic forgiveness."

VARIETY SAYS-

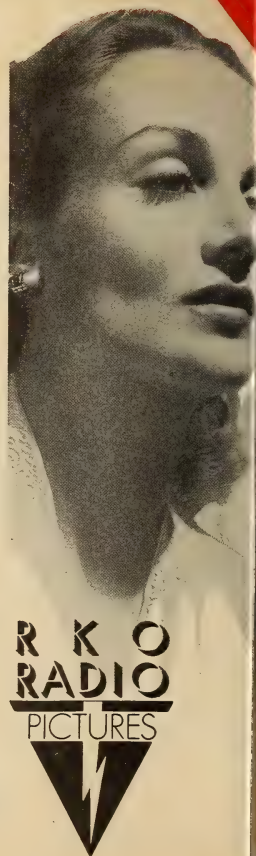
"Beautifully acted, excellently directed and produced with fine feeling . . . A class picture for the top first runs, guaranteed to delight the emotionally inclined."

HOLLYWOOD VARIETY SAYS-

"Valid, powerful and enticing in its drama as it was in the theatre . . . Has the sure-fire elements of widespread woman interest."

LOUELLA O. PARSONS, L.A. HERALD-EXAMINER

"Charles Laughton gives an Academy Award performance if ever I saw one . . . Carole Lombard proves she is a fine dramatic actress . . . As fine a picture as we have seen in many a day."



THEY WANTED!

50,000 PEOPLE TRY TO CROWD INTO SAN FRANCISCO
WORLD PREMIERE TUESDAY NIGHT . . . BUSINESS TER-
RIFIC EVER SINCE . . . SMASH NEW YORK OPENING AT
RADIO CITY YESTERDAY . . . WIRES BURNING WITH EN-
THUSIASM FROM OPENINGS IN CHICAGO, NEW ORLEANS,
BOSTON, PROVIDENCE, DETROIT, COLUMBUS . . .
DOZENS OF OTHER FIRST RUNS OPENING NEXT WEEK!



CAROLE
LOMBARD

CHARLES
LAUGHTON

IN
"They Knew What They Wanted"

DIRECTED BY
GARSON KANIN

with WILLIAM GARGAN • HARRY CAREY • FRANK FAY

HARRY E. EDINGTON Executive Producer • Produced by ERICH POMMER SCREEN PLAY BY ROBERT ARDREY From the Pulitzer Prize Play by SIDNEY HOWARD

«REVIEWS»

"Third Finger, Left Hand"

with Myrna Loy, Melvyn Douglas, Lee Bowman, Raymond Walburn

Metro 96 Mins.
SPARKLING COMEDY WITH TOP NOTCH CAST AND PRODUCTION VALUE; SURE-FIRE B. O. WINNER.

Here is an audience picture on all scores, with every earmark of a solid box-office smash. Exhibitors should do big business with it, Metro should make big returns on it, and audiences generally should be delighted with the picture. It is a sparkling comedy from the word go, with a smooth pace, an expert cast, deft direction and top notch production value. All of which spells big BOX-OFFICE in capital letters. Exhibitors have Myrna Loy and Melvyn Douglas for marquee dressing and plenty of exploitation possibilities to help sell the picture.

Miss Loy has never appeared to better advantage as a comedienne. She literally sparkles in her role, and does a smooth job. Melvyn Douglas turns in another fine performance. Excellent support is given the principals by a cast of expert players. Felix Bressart and Raymond Walburn are highly amusing. Bonita Granville is adequate in a small role. Lee Bowman appears to advantage, and Donald Meek and Ann Morris contribute to the picture's general all around quality.

Robert Z. Leonard smoothly guides the players through their paces, and his suave touch is apparent throughout the picture in the way scenes are played. An original and highly amusing screenplay was contributed by Lionel Houser, who keeps the dialogue funny where it should be funny and doesn't strain any situations for laughs. John W. Considine, Jr., gets the credit for the plushy production value. An expert photography job is turned in by George Folsey. David Snell rates a hand for his neat musical score.

There is a number of hilariously funny scenes in the picture, with plenty of amusing business that is smartly staged. One scene with Miss Loy going tough with a vengeance and a Brooklyn accent is a standout.

Miss Loy, successful editor of a big magazine, has created a fictitious husband to keep the pass-making publisher away from her so that his wife won't have her fired. However, after she meets Douglas and he falls for her, only to hear that she is married, he takes measures into his own hands and moves into her home as her husband to get even as he thinks he has been played for a sucker. Naturally, Miss Loy can't tell her family he isn't her husband and she can't divorce him because they are not married.

This situation is well developed and well sustained right to the finish of the picture when she decides he is the right man after all. A smart, workmanlike job.

CAST: Myrna Loy, Melvyn Douglas, Raymond Walburn, Lee Bowman, Bonita Granville, Felix Bressart, Donald Meek, Ann Morris.

CREDITS: Producer, John W. Considine, Jr.; Director, Robert Z. Leonard; Original Screenplay, Lionel Houser; Cameraman, George Folsey; Musical Score, David Snell; Editor, Elmo Veron.

DIRECTION, Smart. PHOTOGRAPHY, Smooth.

114 of 146 Foreign Pix Seen in Japan from U. S.

Tokyo (By Air Mail)—American studios accounted for 114 of the 146 foreign pictures released in Japan last year, according to official statistics just released here.

Although 35 German pictures were imported during the year, the official figures show only 10 German films released. Ten British, 10 French and two Italian films also were released.

During 1939, these statistics show, 535 domestic productions were released in Japan a total approximately 20 per cent under the average for the preceding three years. Historical and classical subjects account for about half the films produced in Japanese studios and in this connection it is noteworthy that a number of the 1939 productions were based on the Sino-Japanese "incident."

There were more than 1,800 moving picture theaters operating throughout Japan last year, the great majority of them representing small establishments. Most of the Japanese houses are equipped with sound apparatus of local manufacture.

Goldberg to Cleveland

Cleveland — Lee Goldberg, franchise holder for Producers Releasing Corp., will move his headquarters from Cincinnati to Cleveland on Nov. 15. Goldberg distributes in the Cleveland, Cincinnati and Indianapolis territories.

Buys Rights to "Le Roi"

I. E. Lopert has acquired the rights to produce as a play or film the well known comedy "Le Roi," written by Robert de Flers, G. A. de Caillavet and Emmanuel Arene.

★ SHORTS ★

"Master of the Cue"

Columbia 9½ mins.

Interesting Reel on Billiards
Willie Hoppe, one time boy wonder and still a world's champion at billiards 34 years after winning his first championship, demonstrates his amazing cue wizardry in this subject. He goes through a number of ordinary shots and winds up by displaying some sensational trick routines. Hoppe literally makes the three billiard balls talk.

"Schoolboy Dreams"

Columbia 5 mins.

Fair Cartoon
Featuring Scrapy, this cartoon is moderately amusing. Scrapy wakes up and finally gets to school after a tremendous effort. A new and pretty teacher animates Scrapy into action. He rushes home to get the teacher an apple, but falls asleep when he gets back to school. He wakes up just as the teacher decorates him with a dunce cap after he has dreamed of saving the teacher from a number of perils in the days when knighthood was in flower.

Finland Plans 20 Films; U. S. Pix Drop from 89 to 9

Washington Bureau of THE FILM DAILY

Washington — Finnish producers plan 20 features and about 200 shorts for the coming season, the U. S. Consul at Helsinki reports to the Bureau of Foreign and Domestic Commerce of the U. S. Department of Commerce. Number of imported films on hand and not released for the new season was sufficient to supply first-run theater demand for one month.

The Film Censorship Bureau reviewed 30 features for the first six months of 1940 compared with 166 during the comparative period in 1939, and 118 in the latter half of 1939. During the first half of 1939, 89 U. S. pictures were viewed by the censors as against nine for the first six months of this year. German films dropped from 22 to 8, French from 32 to 3. Finnish features stood unchanged at five.

Dipson is First Buffalo Theater Exec. to Enlist

William D. Dipson, 24, son of Nikitas D. Dipson and executive in several of his father's enterprises, is the first Buffalo theater man of providence to enlist in the United States Army. A graduate of Dartmouth, and with two years of Harvard Law School, young Dipson has been assigned to the Quartermaster's Corps, Mitchell Field, L. I. He was among eighteen recruits sworn in on the stage of the 20th Century Theater, a Dipson-Basil house, in ceremonies arranged by the Army's district recruiting office. A gold wrist watch was presented to him at a luncheon arranged by exchange bookers and members of the Variety Club, with which he is affiliated.

U-P Corp. Dissolved

Albany — Papers of dissolution have been filed with the Secretary of State on behalf of U-P Corp., organized some years ago, by J. Henry Walters, RKO attorney, who handles legislative matters here during the winter for major producing and distributing companies.

French Pix for Leo Films

A print of "Musicians From Heaven," one of the last French films produced at the Paris studios, has arrived in this country and will be released here by Leo Films, Inc., it was announced yesterday by Nat Sanders, president of Leo.

RCA Leases Theater

RCA Manufacturing Co. has leased the New Yorker Theater on W. 54th St. and will use it to demonstrate and experiment sound equipment. Lease becomes effective Oct. 15.

Laughton in Chi. p.a.

Chicago—Charles Laughton is here from the Coast to make a personal appearance tonight at the premiere of "They Knew What They Wanted" at the Palace Theater.

Argentina Wants Quality Pictures

(Continued from Page 1)

"quality is the thing; quantity does not matter."

Cavallo told THE FILM DAILY that if American companies would turn out the same number of "A's" as in the past, business here would be unaffected, despite any cut in the number of secondary features. He pointed out that the Florida had 25 pictures purchased but unplayed although the house used duals and triples. House's deals are made on a rental basis in all instances save Metro which has a percentage arrangement.

Similar sentiments were expressed by Domingo Leone, another leading exhibitor, and associated with Clemente Lococo. Latter has the Grand Opera and the Sulpacha which ran "Rebecca" for a record 10 weeks. Leone is interested in two houses with Cavallo and also has a circuit of 12 nabes.

Recently, there have been hints that Lococo might try native product in some de luxe first-runs. He heads a producing company which has been using the Normandie for a show window.

With French product no longer coming in and neither German nor Italian product having any b.o. strength, Argentine showmen say that any shortage of Hollywood quality product will be met by stage attractions. The Rex, the 3,279-seater where Leopold Stokowsky's All-American Youth ork played; the Grand Opera, seating 2,530, and the Broadway, seating 1,851, are especially suitable for "flesh."

The Rex grossed \$4,000 with the Youth ork, the concert being preceded and followed by the usual film program at the customary prices. Scale for the ork was \$130.-65.

This city's next stage season is expected to be a big one, for there is a horde of refugee French talent here. Plans are also under way to import many Broadway attractions. Season will open in April.

"U" Denies All Charges In Stockholders' Suit

(Continued from Page 1)

Adv in the New York Supreme Court. Universal after denying the allegations contained in the complaint, demands a dismissal of the suits with costs. Plaintiffs have named 14 Universal directors and officers and a number of other companies on charges of misconduct, waste and improper employment contracts.

Five Legits. for Montgomery

Montgomery, Ala.—This city will have its first theatrical season in more than a decade. William Wolfson, local manager of Alabama Theaters, Inc., announces booking of five Broadway successes for the season. They are: "Sky-lark," "Hellzapoppin'," "Life With Father," "The Man Who Came to Dinner" and "The Little Foxes."



STEP RIGHT UP
GENTLEMEN...WETHER
YOU'RE FOR WILLKIE
OR ROOSEVELT....

This Party
WILL WIN
YOUR VOTE!



The No. 1 Banquet of the year
—America's No. 1 Week-end
Pleasure Jaunt for Exhibitors and Film Execs!

VARIETY CLUB 12th ANNUAL BANQUET

Presented in honor of Retiring Chief Barker

C. J. LATTA

As His Associate Officers

Burt Bishop
Al Weiblinger
Brian McDonald

Art Endland
Mike Shapiro
Elmer Ecker
at the

M. A. Rosenberg
Mike Gallagher
Geo. Je D. Tyson

WM. PENN HOTEL

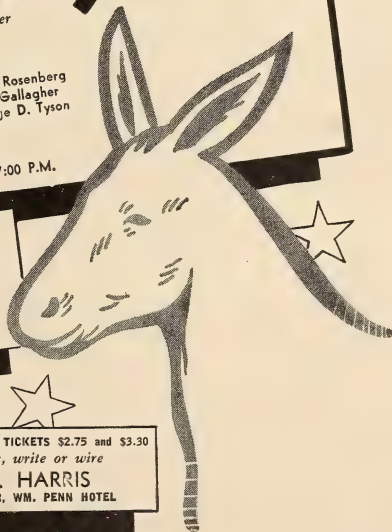
PITTSBURGH, PA.

OCT. 20, 1940

7:00 P.M.

In addition to the most distinctive and
original banquet in America
YOU WILL SEE

PITT vs. FORDHAM
FOOTBALL GAME ON OCT. 19



BANQUET \$11. FOOTBALL TICKETS \$2.75 and \$3.30

For reservations, write or wire

JOHN H. HARRIS

FIRST OFFICE FLOOR, WM. PENN HOTEL

**"DOWN
ARGENTINE
WAY"
IS SMASHING
THOSE RECORDS
DOWN
PHILADELPHIA
WAY!**

Bigger even than "Jesse James" — in its pre-release run at the Stanley! And flash-reports say it's the same boxoffice story at the other three Wednesday openings—Portland, Ore., Butte and Billings!



Building
Remodeling

THE Equipment News DAILY

Equipment
Maintenance

VOL. 78, NO. 73—Second Section

NEW YORK, FRIDAY, OCTOBER 11, 1940

TEN CENTS

MODERNIZATION INVESTMENTS UP 10 P.C. SMPE Coast Convention Calls Equipment Men

**Sessions to Open Oct. 21
In Hollywood; Successor to
Williford Will be Chosen**

Equipment clans from every section of the country will gather in Hollywood's Roosevelt Hotel Oct. 21-25 inclusive for the 1940 Fall Convention of SMPE at which a wide variety of technical film subjects will be discussed, including television.

Presentation of this year's SMPE Progress Medal and Journal Award, won last

Eberson Jobs Show Exhib. Field Boom

Determination of exhibition interests to effect improvements to their theater in order to realize greater grosses, and alertness of showmen to provide new houses to

Richards Will Build Theater In Carrollton

Carrollton, Ga.—Building permit has been issued to Hugh W. Richards for construction of a modernistic playhouse to cost more than \$17,000. This will give the city three theaters.

Subway "Root" Joins B & K "Branches"

Chicago—There will be an even more definite "connection" soon twixt the Chicago and State Lake Theaters of B & K—other than the fact that they are both under that circuit's ownership and operation. It seems that Rapp & Rapp, theater architects, are now at work on plans which call for connecting the two houses with subway stations when the new underground is built here.

Missouri Exhibs. Term It "Dam" Shame— But What Good Is An Underwater Theater?

Greenville, Mo.—The Greenville, this town's only film theater is to be reconstructed about a mile from its present location because the town site of Greenville as it now exists is to be under many feet of water when the Federal Government completes the Wappapello dam. Grishaber and Bollinger, present owners of the theater, are negotiating with the Government's agents on the amount of damage to be allowed on the property.

NTS Orders Brisk On Simplex Line

Recent rapid pace of National Theater Supply Co. in filling current demand for equipment on the part of film houses throughout the country is exemplified in reports just released by organization's home office.

Simplex Four Star Sound installations include those for the Lone Star, Jasper, Tex.; Strand, Key West, Fla.; Dade, Miami; Jewell, Gordon, Ga.; Gem, Beaverton, Mich.; Senate, St. Louis; Austin Drive-In,

(Continued on Page 4)

Remodeling Won't Close Mid-West Pic Theater

Clinton, Ia.—The Rialto theater here will continue to operate while Central States gives the house a face lifting with a modernistic touch.

The entire frontage of 60 feet will be covered with three colors of an enameled siding. The main change to the interior will be the

(Continued on Page 7)

Gov't Orders Bring Eastman Expansion

Rochester—Eastman Kodak Company will launch work at once on a large addition to its Hawk-Eye Works to be ready for anticipated orders for defense equipment.

The new building, a six-story structure, will increase the plant's capacity by 50 per cent. It will be for the manufacture of optical equipment for military use. Cost of the construction was not announced.

Work will be rushed, Kodak officials said, so the first floor may

(Continued on Page 5)

Rewinds Price Remains Despite Improvements

GoldE Model "H" Automatic Enclosed Rewinds now include improved Micro-Switching and the patented GoldE Reel Drive Dog, as standard equipment. There is no increase in price, company announces.

Embodying an entirely new principle of design, the improved Micro-

(Continued on Page 6)

Erpi So. American Biz Gains Further Sales Advances Seen by U. B. Ross

Iowa Exhib. Wins Permit To Build New Theater

Cedar Falls, Ia.—M. R. Blair, operator of the Regent theater at Cedar Falls, disclosed a new house would be constructed here in appearing before the city council to secure permission to build the theater. The council granted permission for construction of the house.

Blair asked that the proposed

(Continued on Page 6)

Erpi's equipment sales in the western sections of South America, particularly in Peru and Chile, during the first three quarters of this year were termed "very encouraging" by Uda B. Ross, company's manager for that territory, and, in his opinion, better business is ahead.

Gains, he said, have been registered despite the war and its consequent effect upon exchange, and in face of the fact that the cot-

(Continued on Page 6)

Jobs Generally Larger; More New Houses Built And Outlook Improving

Modernization of film theaters is not only on the upswing currently, but that has been the trend ever since Jan. 1 of this year, it is revealed by a survey of the exhibition field nationally. Probe discloses that while fewer number of houses have been remodeled than was the case during the first eight months of 1939, nevertheless projects were of greater intensity and scope.

Index to the entire domestic picture in 1940 to date is furnished by a check-up of outlets which lie East

(Continued on Page 5)

N. J. Resort Is Set For Building Boom

Atlantic City—A theatrical building boom will hit here this winter in preparation of what is anticipated to be a banner year for showmen in 1941. Two new theaters and a big alteration job are among projects contemplated.

A permit was this week taken out for demolishing of bank building at New York and Atlantic Avenues,

(Continued on Page 7)

Three Firms Are Named As Plandaire Agents

Pittsburgh — Plandaire, Inc., through its vice-president and sales manager, Lee Eils, announces recent appointment of three sales representatives who will have exclusive sales,

(Continued on Page 8)

Unique Rubber Seats By Int. for B & K

Union City, Ind.—C. C. Koontz, president of International Seat Corp. here, —the firm to which B & K came for the re-seating of their finest house, the Chicago Theater, —asserts that this job is unique in exhibition annals. Installation of incredibly comfortable chairs has now been completed. They not only have rubber cushions, but rubber arms and rubber backs. As far as is known there are the only such seats in existence. Incidentally, B & K are going to re-seat their Tivoli with International-made chairs.



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CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ruth Wile, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Fredman, The Film Renter, 127-133 Wardour St., W. 1. PARIS—P. A. Harle, La Cinematographique, 29 Rue Mareuilan (12). MEXICO CITY—Marco Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

COMING AND GOING

EARLE G. HINES, GTE president, leaves New York next week for Hollywood to attend the SMPE Convention.

HERB GRIFFIN, of International Projector Corp., is scheduled to leave the home office for the Coast on Oct. 17.

J. E. McAULEY, of J. E. McAuley Mfg. Co. of Chicago, has returned to headquarters there following a visit to New York.

ROBERT O. WALKER, of Walker American Corp., has arrived in New York from St. Louis.

JOHN GOSHORN, Irwin Seating Co.'s factory representative, and HAROLD LA MORE, factory production manager, are in New York from Grand Rapids.

BEN F. SHEARER, West Coast supply executive, came into town recently on a business visit.

WILLIAM GEDDIS of Ideal Seating was in New York this past week.

HENRY GROSSMAN has returned to his Community Theater, Hudson, N. Y., following a local visit.

EDWARD H. WOLK is back in Chicago after completing a circle trip of the U. S., Canada and Alaska.

UDA B. ROSS, Erpi's manager for the West Coast of South America, is in New York for a two-month stay before returning to his headquarters in Lima, Peru.

JOHN EBERSON, senior member of the film architectural firm of John and Drew Ebersson, returned to New York yesterday from a brief business jaunt to the Mid-West.

MONROE SAMSALIC, of the shipping department of S.O.S. Cinema Supply Corp., leaves New York on Tuesday for service with the N. Y. National Guard in which organization he is a Sergeant.

OSCAR NEU, president of Neumade Products, is on an extended trip through the country to visit dealers, and will be in Hollywood by Oct. 21 to attend the SMPE convention. He returns to New York by Thanksgiving Day.

NATIONAL
THEATRE SUPPLY COMPANY

EVERY STORE A LOCAL INSTITUTION WITH A NATIONAL REPUTATION FOR RELIABLE SERVICE

"GET IT FROM NATIONAL"

Many Equipment Firms To Show At SMPE Meet

West Coast Bureau of THE FILM DAILY

Hollywood—Channels close to the forthcoming SMPE Fall Convention indicated here yesterday that an extra large representation of equipment manufacturers is expected to show their newest motion picture equipment wares as one of the features of the conclave. Two rooms in Hollywood's Roosevelt Hotel will be given over to the exhibits.

This activity will be in charge of a committee headed by Barton Kreuzer of RCA's local film headquarters. In anticipation that the exhibits will be more extensive than heretofore, arrangements have been made to add space if necessary.

New 900-Seater Opens In Suburban Memphis

Memphis, Tenn.—The Idlewild Theater, new \$64,000 suburban house, has finally opened. Chalmers Cullins, in Memphis show business for 35 years, his brother Edward, and Nate Evans, former orchestra leader, are owners.

Features are a \$14,000 cooling system, drinking fountains with indirect lighting, love seats—two seats without arm rests—in the balcony, and use of blue throughout in upholstery, tapestries, carpets and restroom and box-office furnishings. Seating capacity is 900. Products of several studios will be shown.

Floyd Stand Shuttering

New Port Richy, Fla.—The Vogue theater is to be closed for about a month, according to Jack Glavich, manager, while improvements are being made. A new model 1941 sound system is to be installed. This is one of the Floyd theater chain houses.

Form Equipment Firm

Detroit—Ernie Forbes Theater Supply has been formed by Ernest H. Forbes, to succeed the Oliver Theater Supply, Inc. The firm has severed all connections with the Oliver name, under which business will continue to be done in the Cleveland territory.

Two RCA Chi. Jobs

Chicago—RCA local offices report installations in the Roxy Theater. Berwyn, Ill., recently taken over by the Schoenstadt circuit from the Lasker interests. The Russell circuit's Rialto theater at Champaign has installed the latest Brenkert projector and RCA sound system.

Ind. Stand About Ready

Warren, Ind.—The new Warren Theater will hold its formal opening today, when the house will be completed. Its seating capacity is 450. J. E. Stukey, will operate the house.

Bodiform for Bridgman

Bridgman, Mich.—O. A. D. Baldwin is installing American Bodiform theater chairs in his Bridgman Theater here.

Sam Schoenstadt Directs Newly Acquired Roxy

Berwyn, Ill.—Roxy Theater, recently taken over by the Schoenstadt circuit is having a new front installed, plus 1,130 of the latest Kroehler seats and RCA sound. Whitmeier Co. are installing the Carbon-dale air conditioning unit. Improvements, it is estimated, will cost \$30,000.

Martin O'Brien from the Brighton Theater will be house manager, under direction of Sam Schoenstadt, district manager. Alex Levy drew the house plans which include the erection of a balcony, which will add 320 seats to the capacity.

New Arlington, Va. Army Post Will Have Theater

Washington Bureau of THE FILM DAILY

Washington—The War Department has approved a \$12,500 appropriation for a post theater for 12th Infantry troops stationed at the New Arlington, Va. cantonment.

By stretching its budget, the department hopes to construct a theater large enough to hold 500 persons, about half the post's personnel.

Two Fort Worth Theaters Make Shift to Neon

Fort Worth, Texas—Both the Worth, and the Hollywood, first class Interstate theaters in Fort Worth, Texas are getting new signs, and new v-shaped marquees. The old-fashioned incandescent bulbs in both signs are being replaced by modern neon lighting.

Cianciolo House Standout

Memphis—Mike Cianciolo has one of the fine houses in this section of the country with his new \$65,000 picture palace here. Local Monarch Theater Supply Co. furnished all the equipment including WE Mirrophonic sound and U. S. Air Conditioning cooling system.

Shutters for Improvements

Oakville, Conn.—Rocco Longo will close the 350-seat Community Theater for a ten-day period, during which he will reconstruct and modernize his lobby and redecorate the interior.

Booth Equipment Restored

Lexington, Miss.—Barr & Nichols Star has booth equipment completely rebuilt by Monarch Theater Supply Co. of Memphis. Fire damaged the equipment several weeks ago.

WB to Brighton House

South Norwalk—Warner Bros. will redecorate lobby, front and interior of the Rialto, and furnish the house with new carpet.

Eaton Re-Equips

Memphis—J. W. Eaton's Peabody Theater here has been re-equipped with Motigraph projection and Ashcraft lamps.

ASC Fills Order

Detroit—Amusement Supply Co. has installed a new screen in the Virginia for the Portell Circuit.

PLAIN TALK

... about equipment

By GEORGE H. MORRIS
Equipment Editor, THE FILM DAILY

SUCH barrier as currently exists twist equipment seller and equipment buyer arises from one basic source in particular, namely, that showmen for the most part are not engineers, nor are the rank and file of engineers what could be termed showmen.

Therefore, owners and operators of film theaters are not to be blamed for any lack of warmth toward the inherent characteristics of mechanisms and appointments which go into, or should go into, their houses. Nor are manufacturers and their agents to blame for stressing what they believe to be scientific "benefit points" which they know their wares possess.

But doesn't it seem reasonable that a closer relationship could be effected between the equipment supply sources and the exhibitor-customers if academic technical phrases and description were relegated to a much less prominent position, and, instead, the trade were to give equipment something more than a scientific soul?

FOR much too long, and too intensely, the busy theaterman has been bombarded with information which has, as an inevitable result, created in him the feeling that much of the equipment which goes into his theater comprises ultra-complex mechanical contrivances and intricate creations without as much as a grain of personality.

The average showman building a new theater, remodeling one, or concerned with maintenance problems, cannot be expected to go into an ecstatic coma over the metallurgy involved in specific bronze shafts, nor does he, we believe, gather his little family around the fireside to relate with pride and awe his purchase of a fabric whose tensile strength was proved to be so-and-so as the result of seven complicated laboratory tests.

BECAUSE so much space is wasted and time spent annually on scientific ammunition which has little if anything to do with hitting the equipment-sales target and benefitting the merchant and theaterman alike, we intend to talk in the issues of this new FILM DAILY Equipment Section in terms which will be understood by the reader.

We hold that the realm of theater equipment is as pleasant, picturesque, interesting and colorful as any of filmland's fields of endeavor.

Cleopatra, the woman, makes better reading than the chemistry of her bones.

Six New ISC Jobs

Detroit—International Seating Co. reports installations of seats for Barney Kilbride, Dawn Theater, Detroit; J. C. Ritter, Rialto Theater, Detroit; Associated Theaters, Civic Theater, Farmington; Bruce Freeman, Roscommon Theater, Roscommon; J. H. Methner, Gem Theater, Beaverton; and Harry Holboth, Midway Theater, Davison.

A LESSON IN *Business Philosophy* FOR THE OWNERS OF SMALL THEATRES

Question: What does the theatre patron pay to see?

Answer: The picture on the screen.

Question: What factor in the theatre determines picture quality?

Answer: The Projection Light.

Question: What source gives the best projection light?

Answer: The High Intensity Carbon Arc.

Question: Can the small theatre afford High Intensity Projection?

Answer: Yes, the modern "One Kilowatt" Arcs provide everything that is needed at remarkably low installation and operating costs. Snow white light and a high level of screen illumination assure the best picture quality obtainable. Clear, comfortable vision increases patronage.

THE NEW
"ONE KILOWATT" ARCS
USE "NATIONAL", "SUPREX"
AND "OROTIP" CARBONS

High Intensity Carbon Arc Lamps supply all the spectral colors in essentially even balance. That is why they give fine color reproduction.

The words "National", "Suprex", and "Orotip" are trade-marks of National Carbon Company, Inc.

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Carbon Sales Division, Cleveland, Ohio

GENERAL OFFICES

30 East 42nd Street, New York, N. Y.

BRANCH SALES OFFICES

New York, Pittsburgh, Chicago, St. Louis, San Francisco

NTS Orders Brisk On Simplex Line

(Continued from Page 1)

Austin, Tex.; New, Elizabeth, N. J.; Gorham, Gorham, Me.; Grand, Lincoln, Ill.; Charles, Montgomery, Ala.; New, Carrollton, Ga.; R & R Pal, Palestine, Tex.; and the Vogue, Cincinnati.

Simplex E-7 Projectors have been ordered by the Dade, Miami; Roxy, New York; Kent, Kentland, Ind.; La Porte, La Porte, Ind.; Charles, Montgomery, Ala.; and the R & R Pal, Palestine, Tex.

Radio City News Reel Theater, New York; Strand, Key West; Martin, Andalusia, Ala.; Ritz, Albany; Center, Owosso, Mich.; Bijou, Battle Creek; Senate, St. Louis; New, Carrollton, Ga.; Rivoli, Toledo; Publix-Bamford Theaters, Inc., Ashville, N. C.; Castor, Philadelphia; and the Vogue and Times in Cincinnati are houses which have received Super Simplex Projectors.

Orders for Simplex High Projection Lamps include Reese, Harrington, Del.; Roxy, New Britain, Conn.; Stratford, Stratford, Conn.; Lido, Long Beach, L. I.; Ecorse, Ecorse, Mich.; Grand, Keokuk, Iowa; Senate, St. Louis; Ritz, Enterprise, Ala.; Lyric, Easley, S. C.; Grand, Lincoln, Ill.; Castor and Lehigh in Philadelphia; American Movies, New York; and the R & R Pal and Lyric in Palestine and Big Springs, Tex., respectively.

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Lighting Effects • Draperies • Acoustical Correction • Wall Covering • Painting and Decorating • Stage Rigging • Steel Tracks • Curtain Controls • Carpets

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OF MATERIAL INTEREST



● ● ● HOLLYWOOD isn't the only sector.....where the film legions.....must stand shoulder to shoulder.....in a united effort to make the domestic market produce maximum revenues.....To the credit of the Coast solons.....it must be said.....that to the very best of their ability.....they are doing just that.....If they can possibly help it.....inferior pictures won't be permitted to come out of the studios.....and judging from the solid vehicles thus far in the young 1940-41 season.....their efforts are being crowned with success.

● ● ● YEP, there's another sector.....whose fiber and mettle is on trial.....and that is the exhibition field.....Walter E. Green.....the astute and clear head of National Theater Supply.....is one who is quick to diagnose.....how vital is the part theatermen themselves must play.....in these topsy-turvy days.....which demands courage, foresight and progressiveness.....—plus honest introspection.....His editorial christened "Missing: 32,000,000".....published in the NTS house organ.....weighs the Goldwyn-sponsored Gallup survey findings.....disclosing that a helluva swatch of our citizens.....shun the movies.....President Green asks: "Poor pictures keeping them away?".....and adds: "Perhaps".....Then: "But isn't it possible, too, that pictures poorly presented are filling seats.....at the fireside radios.....instead of seats at neighborhood theaters?.....32,000,000 cash customers missing means a job for us.....Good pictures, good projection, good sound.....are magnets that will help bring back the 32,000,000".....Need any more be said?.....

● ● ● PEOPLE ABOUT (and about people):.....Charles E. Wilson, G-E prexy, claims that his commercial sons who enlist or are drafted for the 12-month training period will get a full month's pay and a year's leave and that'll apply to all with one or more years employment with the company.....Lee Earholomew, formerly sales mgr. for Celotex in England, has assumed his new post of company's Cleveland office manager.....H. J. MacDonald and T. Leeming have formed in Chi. the Heat Conversion Corp. at 20 N. Wacker Drive to install heating and air conditioning systems in film houses.....That's a right effective and amusing cover-illustration the Vallen promotional boys have on org.'s new Curtain Tracks and Controls folder.....C. I. Nielsen of the Wesbar Stamping Corp. out in West Bend, Wis., writes us re company's new ad gadgets for mounting atop automobiles and we opine it's sumpin' for alert theatermen to look into.....Frank E. Butler, prominent research engineer who was long associated with Dr. Lee DeForest, has perfected a new loudspeaker which is reported to be a highly effective unit.....J. H. Methner has enlisted Altec Service Corp. to install new sound equipment in his Gem, Beaverton, Mich.....Note to N. Y.'s equipment clans: Don't let Joe Hornstein's piling of orders on his desk (visible from the Ninth Ave. sidewalk) getcha down.....there are plenty these days to go around.....George Bailio, Southern Amusement prexy, is building new theaters at Lake Charles and Crowley, La.....L. A. Stein and Carl Floyd are prepping up their Circle at Sebring, Fla.....Herb Schefel, mainspring of Cleveland Newsreel Theaters, is personally and constantly watchin' that outfit's new Telenevs go up on Euclid Ave.....W. G. Hill is gonna manage the new P. W. Hull-operated house under construction in Ely, Nev.....

SMPE Conclave Calls Equipment Leaders

(Continued from Page 1)

year by Dr. Lloyd A. Jones of Eastman Kodak Labs. and Dr. Herbert T. Kalmus, Technicolor president respectively, will occur at the 47th Semi-Annual Banquet on the night of Oct. 23.

First order of business at the general sessions will be election of officers. Terms of E. A. Williford, (National Carbon) president; Nathan Levinson, (Warners) executive vice-president; J. I. Crabtree, (Eastman Kodak) editorial vice-president; Wm. C. Kunzman, (National Carbon) convention vice-president; J. Frank, (National Theater Supply Co.) secretary, and R. O. Strock, (Audio Productions) treasurer, expire on Dec. 31. With the exception of the secretary and treasurer, who serve one year, all the officers have served two-year terms.

Nine convention committees have completed arrangements for participation in the programmed events. Activities for delegates' wives have been scheduled by a 20-woman committee headed by Mrs. Loren L. Ryder. Darryl F. Zanuck, 20th-Fox producer and chairman of the Academy of Motion Picture Arts and Sciences' Research Council will address the opening day luncheon, and technical experts will offer for discussion nearly 50 scientific papers during the 11 sessions. Two of the latter will be given to sound, one to sound recording, one to disc recording, two to lab subjects, one to television, and four to general topics.

Visits by delegates to film studios, including 20th-Fox, are contemplated, and the afternoon of Oct. 23 is set aside for sight-seeing and recreational features.

Committee chairmen, other than those already cited, include: C. R. Sawyer, Pacific Coast Papers Committee; H. G. Tasker, reception and local arrangements; W. C. Kunzman, registration and information; Nathan Levinson, banquet and dance; G. A. Chambers, hotel and transportation; Herb Griffin, convention projection, and Julius Haber, publicity.

Screen Sales Reported

Walker Plastic Molded Screens have just been shipped to the Capitol, Halstead, Pa.; Home, Old Forge, Pa.; Roxy, New Britain, Conn.; Stratford, Stratford, Conn.; Newtown, Elmhurst, L. I.; Vienna, Vienna, Va.; Sun, Grand Lodge, Mich.; Sun, Vicksburg, Mich.; Strand, Alliance, Ohio; Fernway School, Shaker Heights, Ohio; Vogue, Cincinnati; R & R Pal, Palestine, Tex.; Castor, Philadelphia, and the Charles, Montgomery, Ala.; by National Theater Supply.

Investments Are Up In Modernization

(Continued from Page 1)

of the Rockies. Up to Oct. 1, about 312 theaters are reported to have effected structural improvements at a cost of approximately \$5,308,000, whereas in the corresponding span of 1939, slightly more than \$4,758,000 was spent on alterations of a like major character by 336 theaters, according to John and Drew Ebersson, film house architects.

This means that expenditures on remodeling operations show an eight months gain in 1940 of better than 10 per cent, compared to the like 1939 period.

New construction, during the 1940 span, is lagging behind the statistical record of 1939's first eight months, but while total invested sum is less, it is encouraging to note that more new houses have been built so far this year than last.

John Ebersson points to what he holds is the explanation, namely, that theater interests are getting away from building huge theaters, and are favoring the more practical smaller type of house,—ones which are thoroughly modern and containing nothing architecturally which is not logical and functional. Such theaters, he declares, the permanent successors to the "gingerbread" houses which were once in vogue.

Outlook for both new construction and remodeling during the balance of 1940 is bright, Ebersson asserts, but adds that there is still a tremendous number of houses which, in the interest of owners, public and the industry at large, should be replaced. The percentage of theaters in need of remodeling also remains very high.

G-E Lamps Active

Schenectady—Demand for G-E lamps continues to keep company's facilities going at a rapid pace.

During the past eight months,—the period in which the still-continuing price reductions on fluorescent and Mazda lamps has been in force,—sales have increased, it is stated by channels close to the organization.

Smith Branches Out

Lapeer, Mich.—George F. Smith, local exhibitor who operates the Lyric, will soon have another house in operation in this community. Theater will be modern in every respect and the closest attention is being given to the type of equipment which is installed.

Malanos Eyes Xmas

East McKeesport, Pa.—Christmas has been set as the date for the opening of N. A. Malanos house now under construction.

Special festivities have already been arranged for the debut, including a holiday film program.

Schuler Re-Sound

Tacoma—Charles M. Schuler is re-sounding his 1,000-seat Park Theater in the McKinley Park district here.

Brownwood, Tex., To Be a "Boom Town"; Spurs Circuit To Build New 800-Seater

Dallas—Announcement is made here by William G. O'Donnell, divisional manager of Texas Consolidated Theaters, that the circuit will build a new 800-seater in Brownwood, and 400-seaters in Corsicana and Paris. Circuit operates already in all three situations. Brownwood is scene of new National Guard camp which will result, according to estimates, in population rise of 20,000. All houses will be built as are larger Interstate and Texas Consolidated theaters as to most modern equipment. All three are to be in operation in January. Construction starts at once. Pettigrew and Worley are architects.

J. R. Culhane Announces \$200,000 Del. House

Wilmington, Del.—Plans for the construction of a \$200,000 motion picture theater building on the Governor Printz Boulevard in the \$1,500,000 suburban business district being developed in Edge Moor Terrace, just North of this city, and the completion of negotiations for a long-term lease on the theater, were announced yesterday by Joseph R. Culhane, vice-president of the Wilmington Construction Co. The lease was negotiated by Herbert F. Diener, of the DuPont Building.

The theater, to be known as the Edge Moor Theater, has been leased by the Edge Moor Theater Co., of which Albert J. Fischer, Jr., of Glenside, Pa., is president. Fischer is the owner of many other theaters throughout the Philadelphia suburban area, including the Keswick and the Narberth.

Work on the building will be started within the next two weeks and it is expected to be completed prior to Feb. 1, Culhane stated.

Memphis Scene Active

Memphis—Nine local territory exhibitors have launched theater improvement programs during the past 30 days, according to National Theater Supply's branch here.

R. B. Gooch obtained Irwin seats, Walker screen, Simplex projection lamps and Herten generators for his Savannah, Tenn., theater.

Similar orders were placed by the Hollywood, Memphis, J. A. West's house; the New in Hernando, Miss.; R. B. Lester's Georgia Theater, Memphis; and theaters operated by John Collins, W. N. Hammer, Roy Dillard and Henley and Burris Smith.

Every one of the situations ordered Alexander Smith carpet.

Mrs. Semelroth Brightens Up

Dayton—Mrs. M. Semelroth, who operates the Federation Theater here, has improved her theater's projection by stepping-up the light source.

Her two other local houses, the Peoples and Sigma Theaters, have also received attention along this line.

New Brenkert lamps are an item in the improvement schedule.

Burger Gets Sound

Alfred G. Burger, president of Bolter Realty Corp., has signed a contract with RCA Photophone for both sound reproducing equipment and hard-of-hearing aids for his new 1,200-seater in Great Neck, L. I.

Hornstein Sees Trade Headed For Better Biz

Joe Hornstein, of Joe Hornstein, Inc., has mailed a letter to theatermen expressing the view that business is on the upturn and this means better box-office receipts in the "very near future." He urges prospects for equipment and modernization to act now in effectuating improvements.

As a prestige point, Hornstein lists the various jobs which have recently been awarded to his company.

Among the theaters contained on the current Hornstein roster are Brock's West End; Valle's Arcadia; Sholemsen's Norbury; Marrow's Central; Dubin's Air Line News; Rosenblatt-Welt's Empire; and four Cohen houses,—the Academy, Wallach, Liberty and Broadway.

All houses are in New York City or adjacent territory.

Gov't Orders Bring Eastman Expansion

(Continued from Page 1)

be ready for occupancy in February. The whole building will be completed a few months thereafter.

Kodak has not been notified that it will receive new government orders for optical instruments, but is enlarging its facilities in expectation that orders will come through, it was explained.

Contracts and subcontracts for defense equipment already undertaken by the Hawk-Eye Works cover a wide range of optical instruments for military use, including lenses for aerial cameras. Construction of the new building, measuring 230 feet by 60 feet, will reduce the time in which production on anticipated orders can be started.

Mullin Equips Two

Cleveland—James Mullin, local RCA sales representative announces the installation of RCA sound equipment in the Dreamland Theater, Lorain, and the Harbor Theater, Ashtabula Harbor.



"SOUNDS LIKE SENSE, DOESN'T IT?"

There are two ways of using machinery. One is: hope to high heaven nothing goes wrong—and when it *does*—run a high blood pressure getting it fixed. The other way: let experts keep it in top-hole condition *all* of the time.

That's what smart showmen do about projection room equipment. They protect themselves, *all of the time*, with an Altec sound service agreement and an Altec booth parts agreement. Sounds like sense, doesn't it? Change to Altec today!

ALTEC
SERVICE CORPORATION

250 West 57th Street • New York City

CHANGE TO ALTEC • A CHANGE FOR THE BETTER

Sponge Rubber Held Big Comfort Aid

The B. F. Goodrich Co., of Akron, has just issued a resume on the subject of latex sponge rubber, made from liquid latex, whose use has been increasing rapidly during the past few years, and which has found wide application as material for film theater seats.

Copy of the generalized description of the B. F. Goodrich type of latex sponge material, which is called by the company, Air-Cell, cites the material's durability, comfort, cleanliness and ease of maintenance together with other advantages to the user.

Information issued by Goodrich is valuable to the exhibition wing of filmland in its repeated examination of the merits of theater chair cushions. Company states that there is no material in nature which can compare with rubber in its peculiar and unique capacity to resume its original shape after great deformation. Many other materials are soft and can be deformed, but lack the capacity for recovery, it is pointed out.

B & L Lenses Ordered

Rochester, N. Y.—Bausch & Lomb F.2 Cinephor Treated Lenses have been installed recently in the Vogue, Cincinnati; Charles, Montgomery, Ala.; Castor, Philadelphia; Regent, Battle Creek, Mich.; Roxy, New York; Capitol, Halstead, Pa., and the Austin Drive-In, Austin, Tex.

Lenses were furnished by National Theater Supply.

Miskinis Plans Another

Detroit—Joseph Miskinis, owner of the Alden Theater, is planning a new house, to be called the Civic Theater, at Kelly and Houston Roads. Miskinis recently withdrew from plans for the new Carmen Theater, following court action brought by his former partner, Joseph Stola, under an alleged agreement.

WHO'S WHO IN EQUIPMENT

EDWARD C. CAHILL. Born Glasgow, Mont. In high school when U. S. entered World War. Shelled studies to join Army Medical Corps. After Armistice, completed prep school. Entered School of Engineering, Milwaukee, receiving B.S. degree in electrical engineering in 1928. In interim, worked several years with Electrical Department of Great Northern R. R. at St. Paul. Joined RCA Photophone as field engineer, 1928, basing in Minneapolis, St. Paul and Winnipeg. Appointed District Service Manager for Chicago territory, 1930. Consolidation of Photophone with RCA Victor paved way for designation as Central Service Manager. Came to Camden headquarters in 1936 to take over administrative chores under the Service Manager. Continued phenomenal rise. Became National Manager of Installation Service Division year later. Then in 1939 was promoted again, to Manager of Photophone Division for RCA Mfg. Co.



Rewinds Price Remains Despite Improvements

(Continued from Page 1)

Switch sharply reduces the amount of friction needed to operate the switch, assuring smoother, non-clinching rewinding.

The GoldE Reel Drive Dog completely solves the old problem of sheared pins and broken shaft keys. Mechanically right in design and application, this unit drives the reel at the proper point, thus relieving the stresses that cause key breakage. The GoldE Reel Drive Dog fits any reel except the two inch hub type, and lasts as long as the rewind itself.

Freier on the Job

Detroit—Edward Hilke, owner of the Perrien Theater, is starting a remodeling program, with stage remodeling being completed now. House is being reseeded by International Seating Co. New front will be installed next year. Architect Henry M. Freier is supervising the work.

B & K Better Two

Chicago—Balaban & Katz have installed a modern porcelain front, new canopy and marquee in the Grand Theater at Gary. A \$30,000 improvement job is going into the Capitol Theater at Taylorville, Ill.

Iowa Exhib. Wins Permit To Build New Theater

(Continued from Page 1)

building be built closer to the sidewalk than the required 14-feet in a residential district.

When asked regarding the construction of the building, Blair stated that the first draft of plans had been made, but that construction might not begin before the Spring of 1941.

Mid-West Fills Orders

Cincinnati—Mid-West Theater Supply has installed International seats in the Inland Steel Co.'s Wheelright in Wheelright, Ky.; and in four Ohio houses—RKO's Orpheum here; A. Hettisheimers Norwood, Norwood; A. Bernsteins Place, also in Norwood; and in A. Metros Strand in Portsmouth.

Brenkert projection lamps have been supplied by Mid-West to ten houses in the territory.

RCA Busy In Michigan

Detroit—RCA Photophone is installing new equipment in the Hill Theater, Hillsdale, Mich., for Butterfield, Circuit; Medbury, Detroit, for Louis Spann; Orr, Fowlerville, for Joseph Mellon; Chandler, Detroit, also for Mellon. The Hill Theater, which is the former Alhambra, is a Trans-lux style house, the only one of its kind in Michigan.

Coveleskie Gets Seats

Detroit—John Coveleskie, operator of the Catherine, has installed new seats, supplied by International Seating Co.

Abbey Nixes Building

Detroit—Abbey Amusement Co., theater company started last Spring, has dropped all plans for construction.

Baker to Manage New Rex

Galax, Va.—The new 750-seat Rex theater, now under construction on East Grayson, will be managed by E. J. Baker.

Ross Reports Gain In Erpi S. A. Biz

(Continued from Page 1)

ton crop, upon whose liquidation a considerable degree of prosperity depends, has not been sold.

Equipment products, Ross asserts, are in current demand. This is true particularly of those of American manufacture because in Ecuador and Bolivia the German-controlled interests are unable to supply customers for sound and projection units, although, in an optimistic vein, they continue to advertise such wares and imply that it will be only a short time before stock is again coming through from Germany.

Ross declares that the new Odeon Theater which recently opened in Guayaquil, Ecuador, is equipped with complete Mirrophonic sound, Ashcraft lamps and Motigraph projectors, and is the first house in that section of the world employing this modern equipment alignment and that the results of the use of high intensity-projected pictures is a sensation.

During the next few weeks the new Monge-Campero Theater in La Paz, Bolivia, will have similar equipment installed, as will the new Municipal Theater which opens this month in Arequipa, Peru. Another prominent project is the new San Martin Theater in Lima, Peru.

Earthquake in May, which wrecked houses in Lima and its suburbs, caused little loss to Erpi customers on the score of equipment since this was guaranteed against such a contingency by the company. In the disaster, 15 houses were affected and five have had to be completely rebuilt, while others needed major operations to restore them to normal. The Badell Theater in Callao was a total loss, as far as the structure was concerned.

Touching again on the supplanting of German equipment by Erpi, Ross revealed that even the Saint Mary's University in Valparaiso, Chile, a privately endowed educational institution with an all-German faculty has installed Erpi equipment,—this rather triumphant order having been obtained by Ross' assistant, Frank Hayes.

Ross points out that respect of Latin-American government officials and business men alike for Erpi has been responsible for the company's gains.

He expects to remain in New York for about two months before returning to his headquarters in Lima.

Hy-C For Three Stands

Broadway's Roxy Theater has purchased Hy-Candescant Projection Lamps from National Theater Supply Co., as has the Fordham in New York.

Rivoli in Toledo has also ordered the Hy-C lamps.

C. ROSS for

MOTION PICTURE LIGHTING EQUIPMENT

RENTALS: A full line of modern equipment together with a staff of trained men to handle any job large or small any time, anywhere. Generator trucks, searchlights and floodlights, for premieres and general lighting activities.

SALES: Everything in the line of equipment for motion picture and photographic studios.

SERVICE: We are prepared to offer the finest service, equipment and technical advice obtainable in the East. Your requirements taken care of to the last minute detail.

As Sole Eastern Distributors, we carry the full and complete line of equipment manufactured by—

MOLE-RICHARDSON CO., Hollywood, California

Incomparable Lighting Equipment — Estimates Cheerfully Given

Let Us Enlighten You on Your Lighting Problems

CHARLES ROSS, INC.

244-50 WEST 49th STREET Tel. Circle 6-5470-1-2 NEW YORK CITY

Eberson Jobs Show Exhib. Field Boom

(Continued from Page 1)

profit by growth and expansion of population,—is evidenced in the imposing list of projects now in the offices of John and Drew Eberson, prominent film theater architects.

On the Eberson roster currently are the new Oswego Theater in Oswego, N. Y., and that circuit's Easton Theater, Easton Md., and Schine's Norwalk, Norwalk, Ohio.

Another new Schine house in work is the new Waller, Laurel, Del., while remodeling of their Grenada and Riversides in Buffalo is also underway.

The Ebersons are also engaged at present on the Bristol Theater, Bristol, Conn., for the Warner circuit; completion of the Times, Cincinnati, for RKO; the Park Chester in the metropolitan housing project, Bronx, for Loew's; the new Central Theater in Passaic, N. J., for Center Amusement Co.; and the new Cohoes Theater, Cohoes, N. Y., for the Fabian interests. The latter house's plans have been basically delineated by Jacob Fabian, father of Si Fabian. The senior Fabian is one of the pioneers of the modern film house and long an exponent in exhibition progress.

Other projects going ahead are the Highland Theater in Washington, D. C., for Lloyd Wineland, and the new Colony in Livingston, N. J., for an undisclosed client.

Completion of the new block-square, 22-story Esperson Building in Houston, Tex., is also receiving the close attention of the Ebersons.

Lab Facilities Increased

Mecca Film Labs, Inc., has increased its capacity by some 25 to 30 per cent as the result of newly installed equipment, it was learned yesterday from sources close to the organization.

In addition to the company's continuing large 35 mm. volume, a lot of activity above normal is noted in the 16 mm. bracket.

Krim Building 600-Seater

Detroit—Krim Circuit has broken ground for a new 600-seater at Woodward and Florence Avenues, in the suburb of Highland Park. New House will be ultra-modern in design, with very large front, designed by architect Charles N. Agree. Cost of structure, exclusive of site which the Krim Brothers have purchased, will be \$70,000.

New House For Tullahoma

Tullahoma, Tenn. — Cumberland Amusement Co., of McMinnville, have leased a building on Lincoln Street and plan to convert it immediately into a movie theater. This company already owns and operates The Strand here.

EQUIPMENT NEWS To Be Issued As Part of THE FILM DAILY'S Service to Subscribers

This initial issue of THE FILM DAILY-EQUIPMENT NEWS is the first of its kind to be published and will continue to be issued as Section Two of THE FILM DAILY on every second Friday,—to bring, in its greatly augmented form and more appealing features and format, the news of interest in the fields of theater and studio building, remodeling, equipment and maintenance.

Several Michigan Houses Get New NTS Marquees

Detroit—National Theater Supply is installing enough new marquees to constitute a small trend of front remodeling at Michigan theaters—a total of seven under way for this firm alone. Houses refronting are: Bukiwle and Danswski's Seville, Detroit; Moule and Newman's Pasadena, Detroit; Earl Annett's Durand, Durand; P. J. Schlossman's State, Muskegon; T. W. Ackerman's Star, Elkton; Dan Keis' Columbia, Flint; and Olsen Brothers' Rialto, Grayling.

National is also installing the first Walker moulded plastic screens in Michigan, in the two Sun Theaters operated by Jesse Phillips, at Grand Ledge and at Vicksburg.

Wolk All Aluminum Mags. Win High Exhib. Favor

Chicago—Edward H. Wolk, head of the theater equipment-and-parts organization operated under his name, reports that company's new and original All Aluminum Magazines are meeting with enthusiastic response on the part of circuit and indie houses in all sections of the country, as are the heavy projector bases and special arms handled by the Wolk offices.

Latter have in stock more different parts for Powers Projectors, it is said, than any other U. S. source.

Wolk recently returned to headquarters after an extended business trip which took him across the country as well as into Canada and Alaska.

Hasten Toronto House

Toronto—Construction work already has started on the new Orpheum Theater being erected here for M. Rittenberg.

All concrete in construction, air-conditioned, and of modern design, the new playhouse, costing some \$30,000, will replace the old Orpheum, which adjoins and be opened at earliest date possible.

Jay I. English, Toronto, is the architect.

Dominion Readies Latest

Newport News, Va.—Work will start within 30 days on a new 500 to 600-seat theater at Hilton Village, near here, it was announced by Hunter Perry, manager of Dominion Theaters.

Remodeling Won't Close Mid-West Pic Theater

(Continued from Page 1)

treatment of the lobby space. Restrooms for both men and women will flank a general lounge, giving Clinton its first theater to have this modern type of lobby arrangement. The lounge and restrooms will be on the main floor and space will be provided by the removal of a small shop to the other side of the lobby space.

The box office will be situated flush with the sidewalk line and all framework of the office, doors and display cases will be of white metal which will blend with the tri-colored fronting. The auditorium will not undergo any changes, having been redecorated completely a year ago.

Florida Theater Ready

Homestead, Fla.—The New Seminole theater has been completed at a cost of \$50,000, and is rated as one of the most modern houses in South Florida. It replaces the Seminole which was completely destroyed by fire last March. J. W. English is owner and operator.

N. J. Resort Is Set For Building Boom

(Continued from Page 1)

to provide site for new proposed theater to be erected by a company of which Frank Gravatt, president of Steel Pier, is officer. The Weiland-Lewis chain which operates the Apollo-Strand group is said to be also in on the deal.

Another theater will soon go up at Harrisburg and Atlantic Avenues, in the downtown section, as Chancery Court last week cleared away objections to its erection. The third big project on the books is a \$75,000 remodeling job on the Virginia Theater on the Boardwalk.

Besides this work will start on the Ventnor Pier rebuilding program on Jan. 1. This pier was destroyed by fire during the height of the past season. The Steel Pier and the Million Dollar Pier are also going thru a period of alterations in preparation for next season.

Work Begun on Melba

Batesville, Ark. — Work has started on the new Melba, which is a member of the Commonwealth Theater Corporation of Kansas City. The house will be air-conditioned and will have a seating capacity of 722. The new theater is expected to be completed within 90 days. William Headstream is manager.



"STRIKE UP THE BAND"

There's cause for gaiety when you freshen up your house with Alexander Smith Carpet . . . it boosts your morale, pleases your patrons, has a direct influence on box office receipts . . . one reason why you'll find it in most of the country's successful theatres.

ALEXANDER SMITH CARPET

PROSCENIUM CHATTER

J. A. English's Bluebird and Highland Theaters, Anaconda, Mont., are right well fixed now. Former house was completely remodeled by said owner and new chairs, Alexander Smith carpet, lighting fixtures, lobby furniture, and new drapes acquired. The Highland, among other things, got a Walker screen, Super-Simplex projector, Simplex High lamps and also Simplex Four-Star sound. Equipment was channeled by National Theater Supply's Salt Lake City branch.

Lester C. Funk is building a 1,200-seater at Bellflower, Calif., and is also having modernized the sound equipment now installed in his Center there.

Ellis Blumenthal, prexy of the circuit bearing his name, has contracted with RCA Phonophone for new sound equipment for the Star, Savannah, Ga. This house is managed by Barney Hahenstein.

W. N. Carnation, formerly of the Fox, Fort Meade, Fla., is re-building a former postoffice building at Lake Wales, Fla., into a theater to be known as the Park.

Edwin C. Loomis has put new seats, a new screen, Brenkert projector and Alexander Smith's new Fluorescent carpet into his State, Elk Rapids, Mich.

At the turn of the month, Cullins and Evans opened their Idlewild, Memphis, Tenn., and sported Motiograph projection, Ashcraft lamps, Rectolite rectifiers, and a new screen.

Isaac M. Cohen and Nate Bernstein, partner pilots of Monarch Theater Supply in Memphis, are doing a slick current biz on their projectors, lamps, sound systems, spotlights, drapes, Marquees, signs, stereopticons lenses, screen and general supplies.

Benjamin A. Gold, head of Paulstan, Inc., operator of the 800-seat Park, Nashua, N. H., is modernizing house's sound and installing a public address system.

P. R. Isley, former Tulsa, Okla., showman, is building a theater in Brownwood, Tex. It will be named the Plaza.

Midwest Theater Supply reports among recent jobs in the Cincinnati territory: International seats and Mohawk carpet for W. Huss' Royal in that city; new screen and projector for Krohs' Cynthia, Ky., stand; projector, screen and Brenkert lamps, plus Mohawk carpet, for C. B. Hogle's Westmor in Huntington, W. Va.; and projection lamps and sundry items for R. A. Phelan's Star, Clensmen, W. Va.

Erpi Prexy Reveals Org.'s Draftee Plan

T. K. Stevenson, president of Electrical Research Products, Inc., recently announced the Company's policy in regard to employees who may be called up for military service under the Selective Training and Service Act of 1940, as well as members of the National Guard or the Organized Army Reserves in the Company employ who may be inducted into Regular Army service.

For the first three months of military service, employees of a year or more's standing will receive their regular Company pay less Government pension pay. Under the Company's pension plan, employees called into military service will receive full credit for their previous term of employment plus the period of Government service upon reinstatement in the Company's service. Eligibility for Company death benefits will not be affected, the Company making up the difference between the Federal and State benefits and the total provided for under its own plan.

All regular employees of Erpi called up for training or service will be granted leave of absence for a period of twelve months. Upon application within forty days of the conclusion of their military service, such employees will be reinstated by the Company in their previous positions or in positions of comparable status and pay, unless the Company's circumstances shall have so changed as to make it impossible or unreasonable to do so.

Wedd-Designed Beach To Open in December

Miami Beach, Fla.—The Beach, newest film house in the area, and one of the largest in Florida, with 1,600 seats, will be ready by December. According to S. A. Lynch, Paramount Enterprises executive this will be the "flagship" of the Paramount chain. Robert Law Wedd, Miami Beach, is the architect.

Improving Conn. Theater

New Haven—Grand Theater Corp. will start reseating and renovation of Cannon's Theater at once. Modern Theater Equipment will install 350 International chairs, new booth equipment, stage drapes, screen, and carpet, under the personal supervision of Louis Phillips. The house will close only two weeks before completion of the work.

West Penn. Goes Airy

Pittsburgh—The first Drive-In theater in the Western Pennsylvania territory is now open for a trial period of 60 days. It is situated near South Park, Pa., on Route 88. Admission price for adults is 40c per person and children are admitted free.

Three Agents Named By Plandaire, Inc.

(Continued from Page 1)

rights for Plandaire Kno-Draft High Velocity Spun Aluminum Ceiling Type Air Terminals in their respective territories.

Air Conditioner Utilities Co., 8 West 48th St., New York City, are the newly-named metropolitan representatives there. Harry W. Fiedler is assisted by Joseph A. Heller and John G. Foster. They handle Julien P. Friez & Sons controls and instruments, Waterloo grilles and registers, Grant Wilson, Inc., "Dux-Sulation," Young regulators and damper controls, Supreme spray nozzles and valves, and Viking fans.

Glegge Thomas, 1426 G St., N.W., was appointed sales representative in the Washington territory. He has been manager of the Clarage Fan's office there for the past 10 years, and prior to joining Clarage was associated with B. F. Sturtevant Co.

Hucker-Prybil Co., 1700 Walnut St., Philadelphia, was appointed in that territory. Paul L. Prybil and Joseph H. Hucker are well known in the trade and have handled American Air Filter products for many years.

Benjamin Prepares Plans For Sparks Starke House

Starke, Fla.—George Manassa, manager of the Ritz theater, states that work will be started immediately on the 1,000-seat film house to be erected on Call and Court Sts. Roy A. Benjamin, Jacksonville architect, is preparing plans. This new unit in the Sparks chain is expected to be ready by Jan. 1.

Bradenton, Fla.—The old Wallace Theater here will be remodeled as another unit in the Sparks chain. Work will be done by S. S. Jacobs Company, Jacksonville. House will seat about 433. Job will cost approximately \$12,000.

The Palace, Sparks 998-seater in Bradenton is getting a new marquee and other improvements. Harry Botto is manager.

Remodeling S. C. House

Greenville, S. C.—The Ritz theater here is being remodeled at a cost of between \$7,000 and \$8,000, reports Manager Fred Curdts. Improvements will include a new front, a new lobby and a new auditorium.

Reynolds-Boswell To Build

Greensboro, Ga.—J. M. Reynolds, Jr., and W. R. Boswell, operators of the Greenland theater here, will erect a new theater with a seating capacity of 660.

Installs New Sound

Pocahontas, Ark.—Henley and Burris Smith, managers of the Imperial, announce the installation of a new Simplex sound system.

EQUIPMENT FIELD NOTES

Two items worth noting, and which tell of the proper stress the smart exhib. places on equipment: (1) The new theater in Akron, Ind., will cost some \$15,000, plus equipment amounting to \$7,200, and, an even bigger percentage proportionately is reported anent (2) the Schuyler, Neb., project which calls for a \$10,000 building contract plus \$6,000 equipment.

G. C. Hoffman who runs the Roxy out in Washburn, N. D., is partial to Forest Rectifiers and Morelite Projection Lamps. So are the boys who run the Lake in Lake Butler, Fla.

Payenson and Geyser have given their Florence Theater, Florence, N. J., a good bit o' betterment via a Beaded Chrome screen, Superior projector, S.O.S. Supercarc lamps, sponge rubber floor covering, Forest Rectifiers, and other items to boot.

M. F. Brice of Pal Amusements, Inc., down in Vidalia, Ga., is sitting the patrons down in new American Seating chairs.

Tommy James order to Exhibitors Supply Co. of St. Louis called for his Comet there to receive 900 Ideal seats and covers, Da-Lite screen, Motiograph projector, Brenkert lamps, and Mohawk carpet.

Speaking of Da-Lite screens, you'll find 'em nice and new in the Downtown Lyric in St. Louis, and the Orpheum in Mark Twain town, Hannibal, Mo.

John D. Tabor, manager of the Chandler, Detroit, is having a new house built in Fowlerville, Mich. 'Twill be named the Orr Theater.

Ray V. Starling's new Urbandale Community Theater in the suburbs of Dallas is progressing. He also has the Grove in that Texas city.

Out Chicago way and environs, Joe Goldberg's salesmen have been very projection lamp-rectifier-conscious. Witness: J. Chris' New Rex, as well as his Owl, and B & K's Roosevelt, all in the Windy City; Anderson Theater Circuit's Naper, Naper, Ill.; latter circuit's Times in Morris, Ill.; Van Derveer's State in Morris; Public-Great States' Academy, Waukegan, Ill.; Roxy in La Porte, Ind., and the Irving, Bloomington, Ill.,—all have new Brenkert lamps, and six of the houses Benwood rectifiers.

Everything will sound better in the 600-seat Tosa at Wauwatosa, Wis., from now on. I. E. Swirnow, prexy of Marcus Swirnow Theater, has ordered new equipment to effect this.

J. T. McGreevy, secretary of Harris Theater Corp., is another current improver. It's projectors and booth equipment.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

OL. 78, NO. 74

NEW YORK, MONDAY, OCTOBER 14, 1940

TEN CENTS

METRO MAY ASK 50-50 FOR GWTW IN 1941

Dramatists Guild Okays Pact Amendments

THE WEEK IN REVIEW

More Decree Delay

By L. H. MITCHELL

DOMESTIC

EQUITY SUIT: Harmony between the Government and the Big Five on the proposed consent decree, at one time thought near, receded into the future at the week-end when new obstacles to agreement arose at Capital confab. Big Five was reported asking new changes, with Thursday reported as last day to ask for changes. Exhib. organizations continued to protest at terms of the decree, especially blocks of five pix. MPTOA was understood to be ready to intervene if the decree is adopted as is the Philly UMPTO. Ohio ITO squawks were referred to Thurman W. Arnold by Judge Henry W. Goddard. Ed Kuykendall told Syracuse exhibs. Allied was behind the eight ball in reference to the consent decree. He forecast "limitless" costs under the decree. Abram F. Myers told Mich. Allied that the conditions and aims of Allied did not appear in the decree as drafted. Decree confabs are to continue.

Membership Expected to Follow Suit; Means Quick Film Coin for Legitimate

Proposed amendments to the basic contract between the Dramatists Guild, the League of New York Theaters and film companies covering the backing of plays and purchase of screen rights before production were approved Friday by the Dramatists' Guild Council. Only remaining step before pact will become effective is approval of the pact by the DG membership at its annual meeting next

(Continued on Page 11)

Enlist Hollywood In S. A. Film Move

Washington Bureau of THE FILM DAILY
Washington—Utmost co-operation between the industry and the national defense commission is evidenced by developments here.

Following the appointment of John Hay Whitney to head the Motion Picture Division in the Office of Co-ordination, a spokesman in the office of Nelson A. Rockefeller, co-

(Continued on Page 6)

Stars Galore Appearing In Red Cross Drive

Arrangements have been completed for the special film which the industry is contributing for the American Red Cross membership campaign which starts Nov. 11, ac-

(Continued on Page 7)

See 3 Million "Rockne" Gross First 52 Engagements Report Hold-overs

Exhibitors Will Be Hosts At Previews of "Thief"

Alexander Korda's "The Thief of Bagdad" will be previewed for leading exhibitors and their families in key cities for one week starting tomorrow. At each showmen's preview, a group of leading exhibitors in each territory will act as "honorary

(Continued on Page 7)

MORE DELAY ON DECREE

Conferences Proceed Slowly;
First Section to Arnold

Piecemeal presentation of the proposed consent decree will be made to Assistant Attorney General Thurman W. Arnold in Washington. Government attorneys stated on Friday at the end of a lengthy conference with representatives of the five companies negotiating for a decree. Arnold now has before him one section of the decree, it was said, for his study and possible approval.

Work towards agreement at the conferences proceeded slowly, necessitating another meeting tomorrow and the adjournment of tomorrow's slated hearing before Federal Judge

(Continued on Page 7)

Bank Night Rehearing Move Looms in N. M.

Santa Fe—Rehearing application in the case in which the New Mexico Supreme Court, reversing itself, ruled Bank Night illegal as a lottery is being weighed by J. E. Jones, of the Yucca theater, Roswell.

Jones, defendant in the case, said the circumstances were identical with a case in 1937, in which the Su-

(Continued on Page 11)

Test Engagements Planned in Dec. to Try Out Several Policies Under Study

Selling policy for "Gone With the Wind" when it is brought back for general release next year probably will call for 50-50 terms, it was learned over the week-end. No effort to sell the picture on the former 70-30 basis will be made, it was said.

Conferences were held last week by Nicholas M. Schenck, president of Loew's, Inc.; W. F. Rodgers, general sales manager; Producer David O. Selznick and Howard Dietz, advertising and publicity director, in regard to the new sales and advertising campaign on GWTW.

Three or four test engagements (Continued on Page 7)

Newsreels Ask Army Censor Footage Here

Joint request signed by the five newsreel companies has been forwarded to the War Department in Washington asking that the Army establish a New York branch to pass on newsreel clips concerning the Army and the defense program. Army censors under existing setup

(Continued on Page 11)

Walker to be Honor Guest At Philly's V. C. Banquet

Philadelphia — Frank C. Walker, Postmaster General, will be guest of honor at the annual banquet of the Variety Club to be held Dec. 12 at the Bellevue Stratford.

Local Club will send a delegation of 20 to Pittsburgh on Oct. 20 for the annual V. C. dinner there.

First Circuit Deal For "Great Dictator"

Clayton E. Bond, circuit buyer for Warner Brothers Theaters and Harry L. Gold, vice-president and Eastern general sales manager, signed a contract Friday for the exhibition of Charlie Chaplin's "The Great Dictator." This is the first circuit deal on the film to be announced.

Warners' "Knut Rockne — All American" is expected to roll up a \$3,000,000 domestic gross, which will make it the company's best money-maker in the American market since the 1933 edition of "Gold Diggers," it was learned Friday.

The football film as a result of the impetus given it by the quadruple premiere in South Bend, Ind., plus the heavy ad-publicity campaign

(Continued on Page 6)

MISCELLANY: Domestic gross of GWTW to date was estimated at \$23,500,000. Seven Coast studios will vote on question of a Guild to represent office, clerical and secretarial employees. Paul L. Stein will produce pix in the U. S. for Select Attractions. William Dieterle and associates formed William Dieterle Productions to release through RKO. John Hay Whitney was appointed to m.p. post in office of co-ordination with South American countries. Griffith Theaters acquired Oskar Korn's 18 Texas houses. Western N. Y. MPTO in expansion move to take in Syracuse and Albany territory. SAG and AMPP made new proposals on extras—would advise those having had but 10 days' work in past year so seek other fields. Ufa was accused of handling Nazi propaganda pix. Mid-west exhibs. shown divided on increased admission prices. ILL. UTO expanded into a state-wide unit.

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DONALD M. MERSEUR : : : : General Manager

CHESTER B. BAHN : : : : Chief Editor

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FINANCIAL

(QUOTATIONS OF FRIDAY, OCT. 11)

NEW YORK STOCK MARKET				
	High	Low	Close	Net Chg.
Am. Seat.				
Col. Pict. vtc. (2 1/2%)	5	5	5	— 1/2
Columbia Pict. pfd.	197 1/2	195 1/2	195 1/2	— 1/2
Con. Fm. Ind.				
Con. Fm. Ind. pfd.				
Kodak	132 1/4	131 3/4	132	+ 3/4
do pfd.				
Gen. Th. Eq.	10 1/2	10 1/2	10 1/2	+ 1/4
Loew's, Inc.	25 3/4	25 1/2	25 3/4	+ 1/4
do pfd.				
Paramount	7 3/4	7 1/4	7 3/4	+ 1/8
Paramount 1st pfd.				
Paramount 2nd pfd.	9	8 1/2	9	+ 1/8
Pathe Film	10 1/2	10 1/2	10 1/2	+ 1/8
RKO	2 1/4	2 1/4	2 1/4	+ 1/8
20th Century-Fox	5 1/4	5 1/4	5 1/4	+ 1/8
20th Century-Fox pfd.				
Univ. Pict. pfd.				
Warner Bros.	2 1/2	2 1/2	2 1/2	+ 1/8
do pfd.	36 1/2	36 1/2	36 1/2	+ 1/2

NEW YORK BOND MARKET				
Keith B. F. ref. 6446				
Loew's deb. 3 1/2% 96	103 1/2	103 1/2	103 1/2	+ 1/8
Para. B way 3555	46 3/4	46 3/4	46 3/4	— 1
Para. Pict. 6555				
Para. Pict. cv. 3 1/2% 97	91 1/2	91 1/2	91 1/2	+ 1/2
Warner Bros. deb. 6 5/8% 85	85 1/2	85 1/2	85 1/2	+ 1/4

NEW YORK CURE MARKET				
Monogram Pict.				
Sonotone Corp.	1 3/4	1 3/4	1 3/4	
Technicolor	9	9	9	— 1/8
Trans-Lux				
Universal Corp. vtc.				
Universal Pict.				

Belmont Theater Leased To French Film Import

French Films Import Co., Inc., has leased the Belmont theater from S. S. Krellberg. Occupancy of the theater commences on completion of the engagement of "Here is Ireland."

French Films Import Co., Inc., will release "Heritage," "Gold in the Mountains," "Le Schpountz" and "Jofroi" during the coming season.

The Broadway Parade

Picture and Distributor	Theater
Strike Up the Band (Metro-Goldwyn-Mayer)—3rd week	Capitol
City for Conquest (Warner Bros. Pictures)—3rd week	Strand
I Want a Divorce (Paramount Pictures)—2nd week	Paramount
Spring Parade (Universal Pictures)—2nd week	Roxy
Wyoming (Metro-Goldwyn-Mayer)—2nd week	Criterion
They Knew What They Wanted (RKO Radio Pictures)	Music Hall
The Long Voyage Home (United Artists-Wanger)	Rivoli
Let George Do It (Film Alliance of the U. S.)	Globe
I'm Still Alive (RKO Radio Pictures)	Rialto
Triple Justice (RKO Radio Pictures) (a)	Central
Gambling Ship (Universal Pictures) (a)	Central
The Ramparts We Watch (RKO Radio-March of Time) (a-b)	Palace
Dance, Girl, Dance (RKO Radio Pictures) (a)	Palace
Time in the Sun (World Pictures)—3rd week	5th Ave. Playhouse
Mozart (Mozart Film Co.-L. E. Lopez)—2nd week	Little Carnegie
Here Is Ireland (Irish-American Film Corp.)—2nd week	Belmont
Argentine Nights (Universal Pictures)	Loew's State
The Fight for Life (Columbia Pictures)	Bryant

FOREIGN LANGUAGE FEATURES

The Baker's Wife (The Baker's Wife Co.)—32nd week	World
Whirlpool (Mayer & Burstin)—2nd week	Art Theater
The Carnival of Venice (Esperia Films)	Cinecitta
Vi Papa Solgiantan (Scand. Talking Pictures)—2nd week	48th St. Theater
The Cabinet of Dr. Caligari (f)	55th St. Playhouse

FUTURE OPENINGS

The Great Dictator (United Artists-Chaplin)—opens tomorrow (d)	Astor
The Great Dictator (United Artists-Chaplin)—opens tomorrow (d)	Capitol
Arise My Love (Paramount Pictures)—Oct. 16	Paramount
Krute Rockin—All American (Warner Bros. Pictures)—Oct. 18	Strand
Down Argentine Way (Twentieth Century-Fox) (c)	Roxy
Christmas in July (Paramount Pictures) (c)	Rivoli
The Westerner (United Artists-Goldwyn)—Oct. 16 (a)	Music Hall
House of Fear (Universal Pictures)—Oct. 16 (a)	Central
Oklahoma Renegades (Republic Pictures)—Oct. 16 (a)	Central
Brigham Young—Frontiersman (Twentieth Century-Fox)—Oct. 18 (a-b)	Palace
The Great Profile (RKO Radio Pictures)—Oct. 18 (a)	Palace
Carmen—Oct. 18	48th St. Theater

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous, unreserved. (e) Two-a-day run, seats reserved. (f) Revival.

Resumption of Telecasts Here in 60 Days Expected \$2,602,500 in Assessment Cuts Asked in Warner Suit

Resumption of telecasts here within the next 60 days is practically certain. NBC is planning to begin test pattern transmissions in about 30 days, and as soon as engineering problems are cleared up, return to a regular schedule of telecasts. In the meantime, all possible speed will be placed on the erection of the tele station in Washington, with NBC planning to develop that station as soon as possible.

While the television standards are expected to be ready on schedule, at the latest Jan. 1, a new development to delay the progress of the visual-audio art was seen by tele officials in the national defense movement. The Government has expressed a keen interest in tele as a national defense weapon, and may take over the tele technicians for U. S. service if it is deemed advisable to operate its own tele outlet.

Broadcasters who are now active in television, either through limited telecasts, test pattern transmissions or construction, included the following: DuMont; CBS; MBS; General Electric, transmitting week-ends; Crosley Radio; Don Lee; Balaban & Katz in Chicago, one of the most ambitious of the newer entrants in the tele field, and Zenith.

Michalove Defers Trip

Dan Michalove, 20th-Fox executive, has postponed his trip to Australia in connection with the Hoyts-GUT merger. He expects to leave in about a month.

Reductions totaling \$2,602,500 in 1940 assessments fixed by the New York City Tax Commission on three Warner theaters and a warehouse were asked on Friday by Warner Bros. Pictures, Inc., and Stanley Mark Strand Corp., in a suit filed in the New York Supreme Court.

Theaters affected are the Strand, and its adjoining office building, assessed at \$3,420,000, claimed over assessed by \$1,272,000; the Hollywood, assessed at \$1,125,000, reduction of \$525,000 being sought; the Warner, assessed at \$750,000, reduction of \$400,000 sought; and a warehouse at 617 West 64th Street, assessed at \$1,026,500, reduction of \$465,000 sought.

Complete Shift of Mono. Home Office to Coast

Shifting of Monogram's home office to Hollywood was completed over the week-end by the departure of T. P. Loach, vice-president, and Edward Golden, general sales manager, both of whom will maintain permanent residences on the Coast. W. Ray Johnston, president, returned to the studios Friday after a brief visit in New York.

En route to the Coast, Golden will call on Monogram branches in Buffalo, Cleveland, Detroit, Chicago, Kansas City, Oklahoma City and Dallas.

James Spottswood Dead

James C. Spottswood, 57, veteran actor, was found dead in bed in his home here Friday.

COMING and GOING

GEORGE J. SCHAEFER arrives on the Coast today from New York.

HERMAN WOBBER, general manager of distribution for 20th-Fox, will go to the Coast around the first of next month.

WESLEY RUGGLES and his wife are here from the Coast. They leave for a South American vacation within the next few days.

WILLIAM A. SCULLY, general sales manager for Universal, is in Dallas.

EDDIE GOLDEN left for the Coast Saturday with a number of stops en route scheduled.

W. RAY JOHNSTON, Monogram prexy, has returned to the Coast.

ADELA ROGERS ST. JOHNS arrives in Hollywood this morning from New York.

W. C. GEHRING, Central division manager for 20th-Fox, returns to the home office today after visiting the Chicago and Detroit offices.

LEE BOWMAN is here for a short stay.

MICHELE MORGAN, French actress, is scheduled to arrive here this week from Europe, and will leave immediately for Hollywood to report to RKO.

GENE TIERNEY flies to New York this week-end from Hollywood for a month's vacation.

SIDNEY KLEPPER, assistant at the Palace, Hartford, Conn., has returned from a honeymoon at Virginia Beach.

ED FISHPAN and ED FLYNN of the William Morris offices of New York and Chicago, respectively, are in Hollywood.

MELVIN HIRSH, head of Crystal Pictures, left yesterday for Chicago and the Middle West on a sales trip, returning in about 10 days.

RICHARD PORTER, Stack-Goble Advertising Agency executive, is en route to the West Coast.

ALBERTO VILA, Argentine film and radio star, recently signed by RKO, arrives here today from South America.

CHARLES LAUGHTON is due here today from Chicago where he made a p.a. at the TKWTW opening.

GARSON KANIN is in Boston. ERICH POMMER has returned to the Coast.

"Down Argentine Way" Clicks In 170 Spots

"Down Argentine Way," new 20th-Fox de luxe musical, opening in 170 spots over the week-end, set a fast box-office pace every place where it is showing and established new records for the company at the Stanley Theater, Philadelphia, it was stated Saturday. Company records were also established at the Loew theaters in New Haven and Bridgeport, the Fox, Billings, and Rialto, Butte, Montana.



From THE FILM DAILY to Lillian Gish Benita Hume Pert Kelton Cyril Gardner

SHINE ON, HARVEST "MOON"

"Moon over Burma"

• When luscious Dorothy Lamour drapes her languorous beauty upon a bit of Burma scenery and sings "Moon Over Burma"... well, you get the idea—and so will your box office!



Dorothy Lamour • Robert Preston • Preston Foster in "MOON OVER BURMA"

with Doris Nolan • Albert Basserman • Directed by LOUIS KING • Screen Play by Frank Wead, W. F. Lipscomb & Harry Clark • Based on a Story by Wilkie Collins

NATION-WIDE CO



FILM DAILY says... "Ranks among the best ... a sure-fire attraction ... seethes with fun-poking, crisp dialog, love interest galore, spectacular dancing and a pack of slick songs!"

MOTION PICTURE DAILY says... "One of the top musicals ... 10 musical numbers, the finale being one of the most outstanding seen on the screen."

HOLLYWOOD VARIETY says... "Probably the fastest stepping and most exuberant musical ever turned off the screen—an orgy of gyrating youth, gaiety, flirtatious nonsense which is right down the groove."

HOLLYWOOD REPORTER says... "Its numbers are top flight and each has sock entertainment ... proves that the screen is far ahead of the legitimate in entertainment."

LOUELLA O. PARSONS, L.A. EXAMINER says... "A whirlwind of gay songs, dances, football, college and pretty girls ... delighted the preview audience at Pantages last night."



GEORGE ABBO

Too

with
LUCILLE BALL • RICHARD
FRANCES LANGFORD •

COLLEGE TOWN OPENINGS

for the big musical made for the
young in heart everywhere!

Three **"YAYS"** for dear old "POTAWATTOMIE" from the gangs at

University of Illinois
CHAMPAIGN, ILL.

Alabama Polytechnic
AUBURN, ALA.

University of
North Carolina
CHAPEL HILL, N. C.

University of Alabama
TUSCALOOSA, ALA.

University of New Mexico
ALBUQUERQUE, N. M.

University of Nebraska
LINCOLN, NEB.

University of Texas
AUSTIN, TEX.

University of Colorado
COLORADO SPRINGS, COLO.

University of Wisconsin
MADISON, WISC.

University of Tennessee
KNOXVILLE, TENN.

University of Idaho
MOSCOW, IDAHO

University of Miami
MIAMI, FLA.

Washington State
PULLMAN, WASH.

University of Missouri
COLUMBIA, MO.

University of Michigan
ANN ARBOR, MICH.

University of Kansas
LAWRENCE, KAN.

ITS Sensational B'way Musical Comedy Success!

MANY GIRLS

BART CARLSON • ANN MILLER • EDDIE BRACKEN
SI ARNAZ • HAL LEROY

Produced and Directed by GEORGE ABBOTT
HARRY E. EDINGTON, Executive Producer
Screen Play by JOHN TWIST



Expect 3 Million Gross from "Rockne"

(Continued from Page 1)

mapped by Charlie Einfeld and Mort Blumenstock, is rolling up top grosses in all engagements to date.

Marks set last year by "The Fighting 69th" have been exceeded, and the first 52 engagements heard from at the home office all report holdovers. Latter include:

Colfax, So. Bend, Ind.; Fox, Philadelphia, Pa.; Grand, Lancaster, Pa.; Warner, Memphis, Tenn.; Warner, Wilmington, Del.; Warner, Erie, Pa.; Paramount, Cedar Rapids, Iowa; Liberty, Springfield, Ill.; State, Johnstown, Pa.; Capitol, Hazleton, Pa.; State, Nashua, N. H.; Orpheum, Seattle, Ore.; Warner, Fresno, Calif.; Capitol, Grand Island, Neb.; Montana, Butte, Mont.; Park, Butte, Mont.; Uptown, Columbia, Mo.; Pulaski, Little Rock, Ark.; Criterion, Oklahoma City, Okla.; Lincoln, Lincoln, Neb.; Strand, Ogdenburg, Rialto, Glens Falls; Pontiac, Saranac Lake, N. Y.; Columbia, Sharon, Pa.; Arcadia, Temple, Texas; Rialto, Pocatontos, Ia.; Town, Waukon, Ia.; Capitol, Whitehall; Strand, Creston, Ia.; Rialto, New Braunfels, Tex.; Rialto, Cuero, Tex.; Embury, Fort Wayne, Ind.; Palace, Corpus Christi, Tex.; Massao, Metropolis, Ill.; Bijou, Carrollton, Ill.; American, Mt. Carmel, Ill.; Plaza, Durant, Okla.; Empire, Ft. Henry; Temple, Virgona, Wis.; Texas, Hillsboro, Tex.; Avon, Watertown, Dorsey, Henriette, Tex.; Galli, Margaretville, Ia.; Amsterdam, Aztec, Albany, Tex.; Texas, St. Jo, Texas; Rialto, Kerrville, Tex.; Rialto, Beville, Tex.; Harlan, Harlan, Iowa; Wadsworth, St. George, Utah; and Washoe, Anaconda, Mont.

"World in Flames" Will Open in Capital Thursday

Paramount's "The World in Flames" will have its world premiere at the Columbia Theater, Washington, on Thursday before an anticipated record-breaking attendance of Government officials, members of the diplomatic corps and leaders of national defense activities.

Barney Balaban, president of Paramount, announced at the week-end that the picture would be released nationally on Oct. 25, although the New York premiere will be held at the Criterion on Oct. 23.

R. M. Gillham, director of publicity and advertising, has arranged elaborate plans for radio exploitation. Highlights of the picture will be broadcast over CBS and Mutual networks on the nights of Oct. 24 and 25, with noted commentators such as Raymond Gram Swing, Wythe Williams, Elmer Davis and Major George Fielding Elliott.

"The World in Flames" is a dramatization of actual news scenes covering all world events since 1929.

Young Couples' Lives As New Metro Series

West Coast Bar, THE FILM DAILY

Hollywood—Metro, which has pioneered with the Hardy Family, the "Maizie" and the "Dr. Kildare" series, announces the first of a new series, which will follow the lives of a young couple. First will be "Keeping Company," featuring Ann Rutherford and John Shelton, with Virginia Weidler also cast. S. Sylvan Simon will direct from an original story by Herman Mankiewicz. Sam Marx is listed as the producer.



● ● ● MOVIE folks are great gridiron fans.....and the pigskin fraternity is magnificently movie-minded.....but we're afraid of too much intimacy 'twixt the two.....For example.....suppose you found a film producer appointed to coach.....the light blue of Columbia (not the Cohns' cinema clan).....Obviously, when you interviewed him before a major game.....he would probably be o'er-bubbling with optimism.....—just as was his wont in Hollywood.....while whipping into fighting shape.....a major picture.....We like Hope.....and therefore, in turn, hope.....that pix makers never go about the studio stadia.....looking as though they had been weaned (as some wag said of Calvin Coolidge) on a pickle.....

● ● ● TO reverse the field.....suppose that Columbia's Lou Little.....were suddenly signed by some celluloid solons.....to come to the West Coast "campus".....for the purpose of producing a big feature.....An interview with him.....on the potentialities of the opus.....just prior to release.....(since his pigskin proclivities have always been to weep and wail in pre-game stages).....would doubtless be studded with such heart-rending phrases as....."It looks bad for us.....Our players are inexperienced.....and not enough of them.....Besides, we're weak at the end.....We're going to take an awful cuffing!".....When you think of matters in the aforementioned and comparative light.....ain'tcha glad we got Hope on the Coast.....(an' we don't mean this as a plug for a certain Paramount player).....

● ● ● CECIL B. DeMille.....will come in for more billing.....at the hands of Chicago and Chicagoans.....than just about anything since the Windy City's comparatively recent World's Fair.....Big-wig biz men out that way.....are emblazoning Mister DeMille's name in letters a foot high.....on all the State St. lamp standards.....for a distance of some two miles.....This is only one o' the many lil' things which the public-spirited solons are doing.....to let the world know.....that they 'preciate the selection of Chi.....as the venue for the world premiere of "Northwest Mounted Police".....which'll bow into the Chicago Theater on October 24.....Incidentally, there's gonna be a big 'lectric sign.....at the corner of Congress and Lake.....and, like Abou Ben Adam.....the name of C. B. will lead all the rest.....meaning Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster, Lynne Overman and Robert Preston.....

● ● ● STUFF.....Bob Weitman, chairman of the entertainment committee for the first annual banquet and ball of Cinema Lodge B'nai B'rith, has collected a whale of a bunch of B'way personalities to personally appear at the event which is set for the Hotel Pennsylvania, Oct. 26 (among those called are Benny Goodman, Abe Lyman, Milton Berle, Ed Sullivan and Romo Vincent).....Bob Montgomery, our flum luminary, is to be a speaker at the Oct. 23 session of the Herald Tribune Forum here.....Iris Barry, curator of the Film Library at the Museum of Modern Art, delivered a speech on Friday night in Baltimore on the occasion of that city's Museum of Art launching its new cinema season.

Enlist Hollywood In S. A. Film Move

(Continued from Page 1)

ordinator of Commercial and Cultural Relations between the American Republics, said Friday the general situation had been discussed with Whitney and the ways the problem should be attacked mapped. The first step will be to make contact with Hollywood and work out means of promoting better relations between the U. S. and the American republics through use of motion pictures.

Rockefeller's office is anxious that the industry understand that the motion picture activities will not be competitive in any way, but rather in conjunction with Hollywood. Although leaving details to Whitney, it is expected that the industry's product will be fully utilized by the Division and other films produced by the industry on suggestions of the Film Division. At first these are expected to include travelogues and other shorts, all designed to foster good-will between the American nations.

Meanwhile, Secretary of War Stimson announced he had accepted with extreme gratitude the offer of Will H. Hays of full co-operation by the industry in the defense program. Francis S. Harman will co-ordinate the industry's defense activities.

New Type of Glass and Steel Screen Perfected

Jackson, Mich.—A new type of glass and steel screen which, it is claimed, completely eliminates distortion from any seat in the theater, has been perfected by Otto Hehn of the Sparks Withington Co. of Jackson, and the first installation has been completed in Butterfield Circuit's Majestic Theater here. The new screen is the result of many years of research by Hehn, who states that he installed 148 screens of an earlier type in Prague before coming here.

The screen is easily washable with a hose and is practically unbreakable. It utilizes the principle of alternate convex and concave surfaces on a certain definite schedule.

Pix Dialogue Piped Into Store as Plug

Harrisburg, Pa.—Dialogue from "The Great Profile" was piped into the local Sears, Roebuck & Co. store via radio during the first three days of its showing at the State Theater.

Manager John F. Rogers made the arrangements with the store, the A. T. & T. and RCA service men made the connections. While placards advertised the picture, the store benefited through the idea calling attention to their radios.

The idea will be repeated for "Down Argentine Way," the next attraction at the theater, Rogers said.

Exhibs. to be Hosts At 'Thief' Previews

(Continued from Page 1)

hosts." The "honorary hosts" committees will be constituted as follows: Tomorrow: At the Blue Mouse Theater, Portland—Walter Lawrence, J. J. Parker, Ted Gamble, Roy Brown.

Thursday: At the Rhodes Theater, Atlanta—Tony Sudekum, William K. Jenkins, Arthur Lucas, R. E. Martin, E. J. Sparks, K. B. Wilby, Sidney Meyer, Mitchell Wolfson, O. C. Lam, Adolph Gortatowsky; At the Ingersoll Theater, Des Moines—A. H. Blank, G. Ralph Brantner, A. Stoltz, Harry M. Warren, Nathan Sandler, Leo Wolcott; At the Broadway Theater, Denver—Rick Ricketson, Harry E. Huffman, Bernie Hynes, Charles K. Gilmer, L. J. Finke, George Tucker; At the Esquire Theater, St. Louis—Fred Souttar, Harold Evans, Charles Goldman, Harry Arthur, Russell Armentrout, Bill Folsdick; At the Colony Theater, Cleveland—M. S. Fine, Max Lefkowitz, Henry Greenberger, M. B. Horwitz, Charles Raymond, Nat Holt, Nat Wolf, George A. Manos.

Friday: At the Riialto Theater, Pittsburgh—Mike Manos, Harry M. Kalmine, Harry Feinstein, C. J. Latta, John H. Harris, Leon Reichblum, John Osborne, David Murphy, L. Roy Smith, John Gooding; At the Forrest Theater, Cincinnati—L. Libson, Col. Frudenfeld, Tracy Barham, Frank W. Huss, Nat Galle, Phil Chakeres, Mike Chakeres; At the Egyptian Theater, Seattle—A. J. St. John, Fred Mercy, Jr., John Dand, Leroy Johnson, Al Rosenberg, Frank Newman, John Hamrick, H. D. McBride; At the Tower Theater, Milwaukee—Harold Fitzgerald, E. Alpersen, J. Keegan, E. Vollerodt, W. Ainsworth, E. Langemack; At the Esquire Theater, Chicago—Jack Kirsch, Harry Balaban, Walter Imminger, John Balaban, Eddie Grossman, George Kerasotes; At the St. Louis Park, Minneapolis—John J. Friedl, Ben Friedman, Ben Berger, Oscar Woerner; At the Dundee Theater, Omaha—Evert Cummings, Ted Emerson, Sam Epstein, Oscar Hanson; At the Roger Sherman Theater, New Haven—L. J. Hoffman, Max Hoffman, Dan Finn, John Hesse, Lou Brown, Harry L. Shaw, Matt Saunders; At the Brookside Theater, Kansas City—Ralph Talbot, John McManus, E. C. Rhoden, H. J. Griffith, Glen W. Dickinson; At the Valencia Theater, Baltimore—J. Louis Bernheimer, F. J. Durkee, A. E. Lichtman, Sidney Lust, Hunter Perry, Benjamin T. Pitts, Morton Thalheimer, John Fayette, George Crouch; At the Uptown Theater, Boston—Charles Kurtzman, Edward Ansin, Joseph Levenson, E. M. Loew, W. A. Sullivan, Herman Rickard; At the New Buffalo Theater, George Lynch, Mo Silver, John Nolan, M. J. Kallet, Vincent McPaul, Lester Pollack, W. Dipson.

Sunday: At the Carolina Theater, Charlotte—H. F. Kinney, H. H. Everett, C. R. Bamford, T. A. Little, S. W. Craver, Sen. Boyd Brown.

Oct. 21: At the Bell Theater, New Orleans—E. V. Richards, Gaston Bureau, Levere Montgomery, Arthur Barnett, Edward Martin, Rodney Touns, Maurice Ash; At the Melrose Theater, Dallas—Karl Hovelt, R. J. O'Donnell, Raymond Willie, James O. Cherry, Walter Henschel, Eddie Collins, A. Martini, R. E. Griffith, H. B. Robb, Ed Rowley, Julius Gordon, Glen D. Thompson.

"Thief of Bagdad" Opens Under F.D.R.'s Sponsorship

Warm Springs, Ga.—Under the sponsorship of President Roosevelt, "The Thief of Bagdad" will have its world premiere here today before an audience composed entirely of patients and the staff of the Warm Springs Foundation. Sabu and June Duprez, stars of the picture, will appear in person.

de La Torre Heads Cuban Censor Board

Havana (By Air Mail)—Dr. Carlos de La Torre, has been named president of Motion Picture Censor Committee following the resignation of Oreste del Castillo.

May Ask 50-50 in 1941 For 'Gone With Wind'

(Continued from Page 1)

are tentatively scheduled for mid-December in order to try out several other proposed policies. The one that appears most successful will be adopted. A minimum admission price will be required but the scale will be lower than that asked for during the former run.

According to reports, minimum admission price for matinees will be 40 cents. Minimum night prices have not been established.

Forsee Further Delay On Consent Decree

(Continued from Page 1)

Henry W. Goddard for no more than a week.

Government representatives on Friday laid credence to reports that serious obstacles were being raised in the path of the consent decree when they refused to discuss the changes in the decree requested by the companies. It was reported that the Government is still facing sizeable difficulties in bringing about a final agreement on the decree.

Midwest Exhibs. "Resigned" To Effects of Decree Terms

Midwest exhibitors appear to be "resigned to their fate" insofar as the proposed consent decree is concerned, according to film executives returning from the field. The attitude is, they say, that the decree will be accepted by the Government and Court and there isn't anything that can be done about it.

There is a feeling among some exhibitor groups that the blocks-of-five requirement will be an improvement over the present system of selling, but the vast majority take an opposite view.

Efforts to intervene in the decree probably won't be attempted until the final draft has been studied, it was said.

An improvement in business in the Middle West also is noted, executives say. Industrial centers are beginning to benefit by war orders and the increased payrolls are having a favorable effect on the box-offices.

Maurice Neilson Dead

St. John, N. B.—Maurice Neilson, 32, for the past seven years on the staff of the Regal Films here, died in local hospital, after being ill less than a week with typhoid.

Red Cross Short Packed With Stars

(Continued from Page 1)

corating to major L. L. Thompson, general chairman of the Red Cross theaters committee.

Production costs were contributed by Warner Bros., which planned and produced the picture. Appearing in the picture are Deanna Durbin, Ewatar Arnold, Kay Kyser, Ginny Simms, David Butler, Don Wilson, Lulu and Louis, Joe Keener, James Cagney, Irene Rich, Pat O'Brien, Gene Autry and his Texas Rangers, George Burns, Don Ameche, Ewatar G. Robinson, Orson Welles, the Merry Macs, Charles Laughton, Shirley Temple, Paul Muni, Mickey Rooney, Rina Silvers, Sidney Miller, Bonita Granville, Jackie Cooper, Wendell Miles, Claire Trevor, John Garfield, Mary Martin and Olivia de Havilland.

Eastman Kodak Co., through Ted Curtis, donated 2,000,000 feet of film for prints; DuPont Film Manufacturing Corp., through George A. Scanlon, contributed 300,000 feet; H. J. Yates of Consolidated Film Industries, volunteered to make the prints at his Fort Lee plant.

Distribution and booking of this picture will be undertaken by the nine distributing companies whose branch managers have been designated as district co-ordinators for the campaign. The district co-ordinator in each of the 31 distribution zones will arrange for bookings of this campaign short subject to the theaters in their territories which participate in the campaign and make a definite request for the Durbin film. Prints will be sent to the designated film exchanges in ample time for shipment to the theaters for exhibition starting November 10.

Major Thompson emphasized that the second film, featuring Priscilla Lane, will be booked and supplied in each instance by the local chapter of the American Red Cross, and not by the district co-ordinator. Prints of this official trailer, which the theaters will show following the Durbin film, will be secured by the Red Cross chapters through their own national headquarters in Washington. Consequently, it is important that exhibitors first contact the local Red Cross organization concerning the theater's co-operation with the enrollment of Red Cross members in the locality, arrange to secure the official Red Cross trailer from the local chapter, and then file a request with the district co-ordinator for the Deanna Durbin picture.

Charges Bingo Rampant In Chi. Probed by Police

Chicago—Mayor Kelly has directed Commissioner of Police Allman to investigate charges by the Chicago Crime Commission that Bingo is running wide open in night clubs and taverns.

«REVIEWS»

"World in Flames"

Paramount 60 Mins.

SUPERB AND TIMELY FEATURE PACKED WITH THRILLING SCENES, WILL APPEAL POWERFULLY TO ALL AMERICANS.

Paramount's own sub-title of this extraordinary film—"A Picture for Free People,—terse and truly describes it. Delineating events in the world from 1930 to the present hour, "World in Flames" parades before one's eyes a valuable record from which Americans of all ages can gain a true, indelible impression of the totalitarian-hatched perils that are not merely threatening, but viciously challenging, the democratic way of life.

Here is a feature to which exhibitors should accord the maximum of playing time,—and on two counts. First is the worth of the film as stirring, super-exciting fare. Second is that its very projection by the theaterman will be an act of deep personal satisfaction, patriotism,—and, from the commercial standpoint, profit.

Produced by Albert J. Richard, head of Paramount News, the footage traces the causes for the current war, and depicts in an amazing progression of scenes the conflict itself. The choicest material in the Paramount News archives is melded into a master production.

The first half of the film portrays chiefly the span from 1930 until Hitler began his series of aggressive moves resulting in the Ruhr, Sudetenland, Austria, and Czechoslovakia coming under Nazi rule. Second half deals with the attack on Poland; with resulting declaration of war on Germany by the Allies and the Nazi conquest over-running Poland, Denmark, Norway, Holland, Belgium and France.

There isn't a sequence in "World in Flames" which isn't gripping audience stuff. Often the scenes are transcendently spectacular,—particularly those of the bombing of cities, helpless towns, merchant convoys and battle fleets; the British withdrawal from Norway; and the astonishing evacuation from Dunkirk of the heroic B.E.F. when this entire army was threatened with destruction.

The picture is vividly narrated by Gregory Abbott, Gilbert Martyn and Tom Chalmers. Richard's fashioning of the picture is brilliant, especially the marvelous ending which shows the U. S. preparing to defend itself should the dictator nations attack. Patrons will revel in this film.

CREDITS: Producer, Albert J. Richard; Written and Documented by William C. Park; Voices by Gregory Abbott, Gilbert Martyn and Tom Chalmers.

"Greater Love Hath No Censor Than This"

Detroit—Charles W. Snyder, film censor, missed a few pictures when he was away for the American Legion convention. So he marched up to the box office for the first time in five years, to see a picture as a regular patron. Film was "Strike Up the Band" at the United Artists.

WEDDING BELLS

Selma Harris, secretary to Harold Goldgraven at the New York M-G-M exchange, was married last week to John Zimet.

KENNY BAKER

FRANCES LANGFORD

HUG

HIT PARADE

A REPUBLIC



FRANCES
LANGFORD
Radio's First Lady
of Song

HUGH HERBERT
MARY BOLAND
The King and Queen
of Comedy

PATSY KELLY
STERLING HOLLOWAY
BARNETT PARKER • FRANKLYN

BORRAH MAN
AND HIS HARMONY

AND A BRILLIANT CAST OF

H HERBERT

MARY BOLAND

ANN MILLER

ADE of 1941

C PICTURE



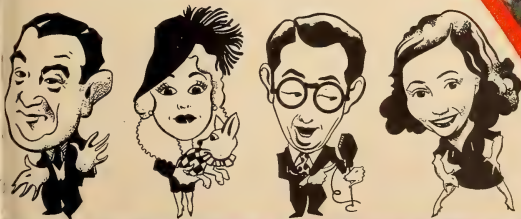
KENNY
BAKER
Romantic Cavalier
of the Air Waves

ANN
MILLER
Sparkling Star of
Teaming Tunes

PHIL SILVERS
DONALD MACBRIDE
PANGBORN • SIX HITS AND MISS

NEVITCH

MONICA RASCALS
JOHN H. AUER—DIRECTOR



SCREEN AND RADIO STARS

from the Heart of Humanity...



to the Heart of Show Business

*S*HOW BUSINESS always leads the world in every worthy cause. Now—more than ever—the AMERICAN RED CROSS needs us. Let's help make the coming MEMBERSHIP DRIVE the greatest in history. The Roll Call starts Nov. 11th. Let us DO OUR SHARE!

Army Theaters Will Use 5 Films Weekly

Washington Bureau of THE FILM DAILY

Washington—Double as well as single feature bills will be used by the Army in its motion picture program, under the Morale Division, it was announced Friday. The War Department stated that practically all productions of the industry will be presented, the shows rotating through most of the Army theaters.

A typical week's program at an Army theater was described as three outstanding features and, in addition, a double feature.

At each cantonment, it is planned to have two theater buildings, each seating an audience of 1,000; at large tent camps, "big top" tents will accommodate as many as 2,200. For troops in the field or at maneuvers, mobile motion picture units will be available.

The Army Motion Picture Service will be "one of the important sections" of the morale division to provide a "wholesome type of recreation and entertainment, it was said.

Newsreels Ask Army Censor Footage Here

(Continued from Page 1)

look at all material in Washington, causing considerable delay to the newsreels.

The War Department projection equipment only handles made-up prints which causes more delays, it was said. It was stated that the Army has taken the matter under consideration and may make its attitude known shortly.

It was pointed out that the Navy has a New York branch equipped with facilities that handle negative as well as positive prints, with the result that Navy censorship is extremely fast and no delays occur which hold back the makeup of the reels.

Expense of shipping material to Washington and return has also grown to be an important item in the newsreel companies' budgets due to the accelerated defense program, it was stated.

GWTW Closes to Sell-out

GWTW wound up its 44-week run at the Astor last night to capacity biz. Last seat for Sunday evening show was sold Friday afternoon. Pix had a sell-out for Saturday as well.

Memorial to Gatelee

Springfield, Mass.—The 1940 Year Book of the Springfield Central Labor Union, now being distributed, is a memorial number dedicated to John F. Gatelee, former CLU and Massachusetts Federation of Labor president, who died early last Summer.

Gatelee, one of the first motion picture projectionists in the state, was IATSE rep. in New England.

War Savings Stamps in Place of Change Suggested to Patrons of FPC Theaters

Toronto—Famous Players Canadian theaters are suggesting to patrons that in lieu of silver change, they take the equivalent in War Savings Stamps when purchasing tickets. Suggestion is made through the medium of posters.

All FPC theaters additionally are selling both War Savings Stamps and Certificates to the general public, every b.o. in effect becoming a Government sales agency.

Scales In Lobbies to Aid Okla. City V. C. Charities

Oklahoma City — Arrangements have been made by C. B. Akers, chairman of the arrangements committee of the Oklahoma City Variety Club, Tent No. 22, whereby penny weighing scales will be installed in all Griffith Amusement Co. theaters in the Oklahoma and Texas territory served from Oklahoma City by the Griffith Amusement Co., Consolidated Theaters, Inc., and Griffith Southwestern Theaters, Inc., proceeds to go to the charity fund.

Ralph Talbot, operator of the Ralph Talbot Theaters in Tulsa, who has never operated any concessions in his first-run houses there, also has agreed to find places for the penny scales in his houses. Akers said Variety Club members who operate houses out over the state will also be asked to co-operate in the plan.

Deal was closed with Clarence Poos, head of the Confection Cabinet Co. of Oklahoma City, to furnish the scales and to share in the revenue on a 50-50 basis. Credit for the idea goes to Akers, assistant general manager of the Griffith Amusement Co.

Enlarge Griffith H. O. As Circuit Expands

Oklahoma City—To keep pace with circuit expansion, home offices of the Griffith Amusement Co. here at 11½ North Lee will be enlarged on the third floor wing to make room for four large executive offices. The entire front of the building will also be refinished in tile and stucco.

On the first floor of the O. K. Motor Express Co. will move out and the entire first floor with the exception of the room occupied by the Film Exchange lunch room will be occupied by the mechanical department. The poster department will be expanded to fill the entire second floor and the third floor will house the accounting department, which will be centralized, the executive offices, booking offices, etc. The entire building will be air-conditioned. Construction of the executive offices and other remodeling is expected to be completed during the next two months.

"Strike Up" Held In 28

Eleven additional holdovers for "Strike Up the Band" were announced by M-G-M over the weekend, bringing the total of extended engagements for the new Mickey Rooney-Judy Garland musical to 28 in the film's initial key city showings.

Middletown "Conspiracy" Trial Resumes Tomorrow

Middletown, Conn.—Trial of the \$269,000 "conspiracy" suits brought by S & S Theater Corp. and Middlesex Theater, Inc., against Salvatore Adorno, former lessee and general manager of the Middletown theaters owned by these corporations, resumes before Judge Ernest Simpson in County Superior Court here tomorrow.

Almost all the New Haven film district managers, several exhibitors, and others in the territory have testified in the plaintiff's case. Plaintiffs are owners of the Capitol and Middlesex Theater properties and ask besides damages, for an injunction against Adorno preventing him from building or operating any theater in Middletown.

Not Ernst, Monogram manager, Harold Eskin of the Stamford Theater, Edward Anson of Interstate, David Berk, New York broker, Joseph Quittner, Jewett City and Southington exhib. Morris Nunes, of Progressive Premium, and Lou Schaefer, manager of the Paramount, New Haven, testified that they had offered \$50,000 for the good will of the theaters in attempting to negotiate a lease through Adorno.

It is alleged by the plaintiffs that these offers were never made known to them, but that Adorno negotiated the lease for himself as unrevealed partner of the lessee, Maria Adorno, wife of Salvatore, and Joseph A. Adorno, son, a Judge in Middletown, are joined as defendants.

Sister of John Grierson Among Lost on the Benares

Montreal—Tragedy intervened to prevent production of a picture of the evacuation of British refugee children to Canada. Shots were taken in Britain before embarkation of 88 British children on the liner Benares, and they were accompanied by Miss Grierson, sister of John Grierson, Canada's National Film Commissioner. Miss Grierson had taken the preliminary shots and intended to complete the picture in Canada. A German submarine torpedoed the liner and Miss Grierson and 83 children were among those lost. With her was lost the film.

WHN to Broadcast Debut Of "The Great Dictator"

WHN will broadcast the premiere of Charlie Chaplin's "The Great Dictator" from the Capitol Theater tomorrow night from 8:15 to 8:45.

Jack Oakie will emcee the special air show.

Dramatists' Guild Okays New Pact

(Continued from Page 1)

month, with a recommendation from the Council expected to put the measure through quickly.

THE FILM DAILY published all important monetary phases of the agreement on Oct. 4. Pact also allows film companies to hire their own managers after making "reasonable" efforts to obtain a first rate manager for the legit field. This point had been in dispute for some time, with the League maintaining that some protection must be afforded its members.

New terms would set a ceiling of \$200,000 upon payments out of the gross of a play to the author and manager when backed by a film company. Speedy action is expected by the film companies in backing Broadway shows for this season. Metro is reported to be interested in backing the new Sigmund Romberg-Oscar Hammerstein musical, "New Orleans," and RKO is reportedly interested in the forthcoming George Marion, Jr., musical, "Yours For a Year." Max Gordon will produce the Romberg-Hammerstein show and Eddie Dowling will produce the Marion show.

Sidney Fleischer, DG attorney, Milton Weinberger, attorney for the League of New York Theaters, and film company representatives will draw up the final form of the agreement this week.

Bank Night Rehearing Move Looms in N. M.

(Continued from Page 1)

preme Court held that Bank Night was not a lottery. No change in the manner of conducting the game has been made since the favorable 1937 decision, he said.

Charlotte NSS Branch Leads in Robbins Drive

Charlotte office of National Screen Service leads the Herman Robbins 20th Anniversary Testimonial drive at the end of the third week, followed by Memphis, Cincinnati, Portland and Cleveland, in order. Drive closes the last week in December.

Lubitsch Selects Title

"The Uncertain Feeling" has been set as the title of the new Lubitsch-Lesser production, to be directed by Ernst Lubitsch, with Merle Oberon and Melvyn Douglas in the starring roles.

Those Marquees Again

San Jose, Calif.—Found on local marquee:
The Fox California Theater:
"All This and Heaven Too"
Now at Regular Prices

The State Theater:
"Andy Hardy Meets Debutante"
"Four Sons"

"Alexander's Ragtime Band" was big in Bridgeport!

"DOWN ARGENTINE WAY" IS BIGGER!

"Stanley and Livingstone" was big in Philly!

"DOWN ARGENTINE WAY" IS BIGGER!

"Kentucky" was big in Portland, Oregon!

"DOWN ARGENTINE WAY" IS BIGGER!

"The Rains Came" was big in New Haven!

"DOWN ARGENTINE WAY" IS BIGGER!

"In Old Chicago" was big in Toledo!

"DOWN ARGENTINE WAY" IS BIGGER!

"Jesse James" was big in Billings!

"DOWN ARGENTINE WAY" IS BIGGER!



Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 75

NEW YORK, TUESDAY, OCTOBER 15, 1940

TEN CENTS

ASKS KUYKENDALL, BRANDT'S DECREE STAND New Wage-Hour Rulings Seen Help to Industry

**Executive, Professional
Workers Re-defined; Many
Get Over-time Exemption**

Washington Bureau of THE FILM DAILY

Washington—Objectives of the motion picture industry at the recent hearing on redefinition of executive and administrative employees before the Wage-Hour Division were virtually obtained in the redefinitions announced by the Division over the week-end.

The most important change that will benefit the industry is a provision providing that employees performing administrative duties and

(Continued on Page 3)

Sam Morris to Be Aide to Bernhard

Sam E. Morris, who was forced by ill health to relinquish his post as vice-president in charge of foreign sales for Warners some months ago, has fully recovered and is returning to the WB home office, it was learned last night.

Morris' new assignment will be in the theater department where he will work under Joseph Bernhard, it is understood.

2 Milwaukee Houses Sue Fox-Wisconsin Amuse. Co.

Milwaukee—Oriental and Tower Theaters Companies here have brought action in the Circuit Court against Fox-Wisconsin Amusement Co. charging the latter firm with mismanagement of the Oriental and

(Continued on Page 10)

Opposition Radio Shew Cuts Prices

Sheboygan, Wis.—Even radio shows are having difficulty in connecting financially judging from the announcement that the WJBL Jambores and Dance instituted here about a month ago on Wednesday nights has cut its admission top from 35 cents to 20 cents. The radio show runs from 8 to 9 p.m., followed by dancing, and is held in Turner Hall, as opposition to town's film houses.

WANTS ST. LOUIS DUALS SHOWDOWN

*Better Films Council Calls on All Theater Owners to Take
Stand, Outline Intentions*

St. Louis—The potent Better Films Council of Greater St. Louis, Inc., is calling for a showdown on the multiple feature issue here.

Mrs. Guy Randell, prexy, has addressed the following letter to every theater owner in the Council's territory.

"We have been greatly concerned in the problem offered by double feature programs. We have from the very beginning taken a position in favor of the discontinuance of that

policy. Long programs are a physical and mental strain on children and young people. Many family programs are marred by the presentation of an adult film with one rated for the family, and it is impossible to expect support for an outstanding film when it is shown with an inferior one. Now we have the threat of triple feature programs. We have never felt that it took a great deal of courage on the part of a busi-

(Continued on Page 11)

Local 644 Bargainer For Scenic Artists

Washington Bureau of THE FILM DAILY

Washington—The NLRB yesterday announced certification of Local 644, Brotherhood of Painters, Decorators and Paper Hangers of America (AFL), as the sole bargaining representative of scenic artists and assistant scenic artists employed by nine West Coast studios.

The board's action was based on

(Continued on Page 6)

Distinguished Audiences To Greet "Great Dictator"

One of the most distinguished metropolitan assemblages to grace a film world premiere in years will

(Continued on Page 6)

Court Okays Record Over Ascap Protest

Omaha—Over protests of Ascap attorneys that the wording is unfair and incomplete, three Federal judges sitting en banc approved the record which will go up to the U. S. Supreme Court in an action involving Ascap and the State of Nebraska.

Louis D. Frohlich and Herman

(Continued on Page 10)

IATSE Members in Service To be Exempt from Dues

Members of the operators, stagehands and all other affiliated unions in the American Federation of Labor under the IATSE banner will be exempt from dues, will retain their

(Continued on Page 6)

Newark Theater Sues Majors Orange Theater Corp. Wants \$450,000 Fees

Deposition Taking May Delay La Crosse Suit

Milwaukee—Obtaining of depositions now under way in the East may delay until Sept. 28 the hearing of the LaCrosse Theater Company's \$1,050,000 action against the Welworth

(Continued on Page 6)

Newark, N. J.—Eight major distributors were named defendants in a \$450,000 suit filed late last week in Federal Court here by the Orange Theater Corp., charging violation of the Sherman anti-trust laws.

Firms named in the suit were Paramount Pictures, RKO Radio, Columbia, Twentieth Century-Fox,

(Continued on Page 3)

MPTOA, ITOA Chieftains Asked by A. F. Myers to Clarify Their Attitudes

Allied would like to know how Ed Kuykendall, MPTOA president, and Harry Brandt, head of ITOA, stand on provisions of the proposed consent decree aside from the block-of-five sales plan.

In an Allied bulletin made public by Abram F. Myers, general counsel yesterday, Kuykendall and Brandt were called upon to declare the grounds for their opposition to the decree, inasmuch as the five-picture provision apparently has been the basis for the squawks from the two exhibitor leaders.

"As president of the MPTOA," the bulletin read, "how does Mr. Kuykendall stand on the provisions

(Continued on Page 11)

N. Y. MPTO to Have Two Branch Offices

Buffalo — Having organized units in Albany and Syracuse, the MPTO of New York State is now launching a membership drive in both zones, following a three-city meeting last week. Present plans call for a statewide convention next June.

The update organization will work closely with the New York Allied,

(Continued on Page 11)

S-W Deal for Paramount Product Still Discussed

Product deal between Paramount Pictures and Stanley-Warner Theaters is still being discussed and negotiations will continue, it was said last night by Paramount execu-

(Continued on Page 3)

Chi. Censors Reversed On Willkie Reel Ban

Chicago—Police Commissioner James P. Allman overruled the Censor Board and ordered Lieut. Harry Costello, board chief, to issue a permit at once for exhibition of a Wendell Willkie film. Censors had banned part, because dialogue disparaged the Kelly-Nash machine.



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DONALD M. MERSEUREAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Monday, Oct. 14)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.				
Col. Pict. vtc. (2½%)				
Columbia Pict. pfd.				
Con. Fm. Ind.				
East. Fm. Ind. pfd.				
East. Kodak	132	132	132	
do pfd.	176	176	176	
Gen. Tr. Eq.	107½	107½	107½	
Loew's, Inc.	26	25½	25½	½
do pfd.				
Paramount	77½	77½	77½	½
Paramount 1st pfd.				
Paramount 2nd pfd.	83½	83½	83½	½
Pathe Film	111½	103½	107½	½
RKO				
20th Century-Fox	53½	53½	53½	
20th Century-Fox pfd.				
Univ. Pict. pfd.				
Warner Bros.	2½	2½	2½	
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6466				
Loew's deb. 3½% 946				
Para. B'way 3555				
Para. Pict. 6555				
Para. Pict. cv. 3½% 947	91	91	91	½
Warner Bros. deb. 6448				

NEW YORK CUB MARKET

Monogram Pict.	½	½	½	+1-16
Onofone Corp.				
Technicolor	9½	9½	9½	½
Trans-Lux				
Universal Corp. vtd.	3½	3½	3½	½
Universal Pict.				

Chicago Competition Brings Back Triples

Chicago — With the competitive situation held responsible, triples took a new lease on life over the week-end. Resort to triples by the Karlov, Rio and Times on the north-west side saw B & K countering at the Biltmore and Crystal. The southside Kimbark and the north-side Co-ed as well as the Ambassador, Austin, also used three features.

RCA Borrows \$15,000,000 For Expansion Program

David Sarnoff, RKO prexy, announced yesterday that the research and production facilities of the company are being expanded to speed national defense orders for radio equipment and to accommodate demands of increased business. In order to execute this expansion program, arrangements have been completed to obtain temporary funds from a group of banks.

These borrowings aggregating \$15,000,000 will be for a term of five years at 1½ per cent interest, but with the privilege of payment in whole or in part at any time prior to maturity. A portion of the sum, Sarnoff announced, will be used to retire the company's currently outstanding bank loans of \$2,000,000, which carry an interest rate of 1½ per cent, and are due April 8, 1941.

Ritter to Head RCA Group To SMPE Coast Parley

Camden, N. J.—Eugene W. Ritter, newly-elected vice-president in charge of RCA's manufacturing and production engineering, will head that organization's delegation which will attend the SMPE Fall Convention opening on Oct. 21 in Hollywood's Roosevelt Hotel.

In the group will be Ralph W. Austrian, assistant vice-president of RCA Photophone; Dr. V. K. Zworykin, head of RCA's Electronic Research Laboratories; Dr. E. W. Kellogg, experimenter, author and lecturer on sound engineering problems; G. L. Dimmich of RCA Photophone's research department; and Julius Haber, publicity chief.

Laudy Lawrence to Europe Tomorrow on Loew Survey

Laudy Lawrence, M-G-M's manager for Continental Europe, is scheduled to leave for Europe tomorrow by Clipper. His mission will be to determine the status of Loew holdings and property in countries affected by the German invasion and the war in general.

Fred Lange, Paramount's European head, Clipped to Europe last Thursday for the same purpose.

B & K Gets Construction Permit for Tele Relay

Chicago—Construction permit has been granted to B & K for television relay station W9XBP. Meanwhile work has started on B & K's tele station in the State Lake Bldg. where equipment is being assembled for early installation.

ATOI Parley on Nov. 25-26

Indianapolis—At a meeting of the board of directors of the ATOI here it was decided to change the convention dates to Nov. 25-26, from Nov. 11-12.

Tom Mix Funeral Rites In Glendale Tomorrow

West Coast Bureau of THE FILM DAILY

Hollywood—Funeral services will be held tomorrow morning in the Little Church of the Flowers, Glendale, for Tom Mix, 60, veteran film actor who was killed in an automobile accident late Saturday near Florence, Ariz.

Prior to the rites, which will include both a Masonic and military funeral service, his body will lie in state here today from 10 a.m. to 10 p.m. Burial will be in Forest Lawn Cemetery.

John Ford, Monte Blue, Daniel B. Clark, Herman Nolan, Bob Cobb, Major Monte Stone, Ivon D. Parker, and B. Reeves Eason, will be the active pallbearers.

The body of one of the great riders of real life was flown from Florence to Burbank, via Tucson, by his close friend, Paul Mantz.

Deceased played in a great many silent and talking pictures,—starring in some 370 in a span of about a quarter of a century. He made his film debut in 1910, becoming the cowboy luminary for the Selig Company's westerns. The height of his fame found him with Fox in the decade prior to sound's advent, and most of his hit vehicles were under that organization's banner.

Mix was born,—contrary to trade and public impression,—in Mix Run near Dubois, Clearfield County, Pa. for publicity reasons, his birthplace was given as El Paso, Tex.

Chicago — "Tom Mix, Straight Shooter," program sponsored by Ralston Purina Co. of St. Louis, included a special tribute to Tom Mix in its yesterday's program.

8 Foreign Correspondents Restored to MPPDA List

Eight names on the MPPDA list of accredited foreign correspondents have been reinstated, following their removal a few weeks ago. At a meeting of foreign publicity heads yesterday, it was decided that the major companies would continue servicing those persons who could back up their claims with evidence that they were still on the job.

Sixty names were dropped recently, mainly correspondents in Nazi-held countries.

James Bradbury, Actor, Dies

James Bradbury, 83, stage and screen actor, died at the week-end at his home in Clifton, Staten Island. In his early career he acted with William Warren and Edwin Booth. He appeared in films with Richard Dix and Richard Barthelmess. Funeral will be held at noon tomorrow at the Walter B. Cooke Chapel, 117 West 72nd St.

DeMille to Speak In Chi.

Chicago—Banquet on Oct. 23 of the Association of State Street Senators will be addressed by Cecil B. DeMille, here for the NWMP premiere.

COMING and GOING

CHARLES CHAPLIN is at the Waldorf-Astoria. ED KUYKENDALL, MPTOA prexy, is in Memphis.

H. M. RICHEY is in Memphis for the Tri-State exhibitor convention.

MORT BLUMENTHOCK is in Palm Beach for 10 days.

BEN KALMENSEN, Western and Southern sales manager for Warners, who returned to the home office yesterday leaves for Chicago Friday.

BOB MOCHRIE, Eastern and Southern division manager for RKO, planned out Sunday for a tour of branches in the South.

BERT CUNNINGHAM and LARRY O'REILLY, of Pathe News, are at Lehigh University to film material for a short.

ROSITA MORENO arrived here yesterday from the Coast.

ALLAN JONES and his wife, IRENE HERVEY, and MR. and MRS. ROBERT CUMMINGS, are due here this morning from the Coast. They sail Saturday for a vacation in Havana.

JACK MCGOWAN is here from the Coast.

REED WHEELER has left for Hollywood.

LEO SPITZ has returned to New York after a trip to Chicago.

L. JACOBSON, chief projection engineer of the Balaban & Katz circuit, has returned to Chicago from a three weeks' Florida vacation.

AL BURNE, secretary to John Balaban, has returned to Chicago from a two weeks' vacation in New Haven.

Producers Lab. Strike Settled at Conference

Strike called against Producers Laboratories, Inc., by Local 702, lab. technicians' union, was settled yesterday afternoon following a huddle between J. T. Cosman, president of the laboratory, and John Ruge, president of the union. The laboratory will pay all employees an extra week's salary. Strike was called by the union after they had charged Cosman did not live up to an agreement in the union's contract which stipulated all employees should have a week's vacation with pay before Sept. 30. Strike lasted less than a week.

The laboratory yesterday filed an application in the New York Supreme Court seeking a temporary injunction against the strike and \$5,000 damages. The application contended that defense contracts to print films for the Army and Navy were being seriously jeopardized by the strike.

EVERY TELEGRAM'S A
RUSH TELEGRAM AT
Postal
Telegraph



CHARGES FOR TELEGRAMS
PHONED IN APPEAR ON YOUR
TELEPHONE BILL.

Newark Theater Sues Majors for \$450,000

(Continued from Page 1)

United Artists, Loew's, Inc., Big U Film Exchange and Vitaphone, Inc. Also brought in as defendants were the Rayherstz Amusement Corp. of 966 Broad St., this city, and its officers, and Harry Brandt, its booking agent.

The Orange Theater Corp., which operates the Treat Theater at 66-68 Orange St., this city, charges in its suit that it was being forced out of business through a conspiracy by the distributors and the theaters on the Brandt circuit to monopolize second-run features.

Specifically the complaint accuses the defendants of steering the better films to the Broad St. theater three blocks away that is under Rayherstz management. The result was, according to the charge, that the Treat was deprived of bidding for features in the open market, that it had to buy inferior pictures or pay "exorbitant rentals" for good films, that it had to buy shorts it was unable to use, that it had to reduce admission prices, and finally, that it had to resort to "unusual and costly games" to attract patrons.

Damages were estimated at \$150,000 and the plaintiff asked for triple damages, plus attorney's fees.

S-W Deal for Paramount Product Still Discussed

(Continued from Page 1)

tives. Negotiations were held yesterday afternoon at the Warner offices. Reports that the product conferences had ended with no deal reached were denied.

Flynn Discusses Loew's Policies with N. W. Allied

Minneapolis—J. T. Flynn, Western division sales manager for Metro, was a Twin City visitor over the week-end. During his visit, he met with officers and members of Northwest Allied at which time sales policies and product were discussed. There was also a luncheon meeting at the Nicollet Hotel attended by Northwest indies.



From
THE FILM
DAILY to
Nat Lewis
Mervyn LeRoy
Ina Claire
Harry Webb



● ● ● FILMLAND has lost forever..... one of its most famous sons—for Tom Mix will never ride again..... We remember vividly the first time he did..... on the screen of a first-run B-way pic palace 'Twas early in 1925..... that the Fox fraternity had finally readied for release..... the saga of the British bandit, "Dick Turpin" which found Tom in the title role..... sans his chaps and tenn-gallon hat..... Instead, the fortress-like frame of Mister Mix..... was bedecked in velvet and lace..... to meet the exigencies of the script.

● ● ● COINCIDENTALLY, the late Lee A. Ochs..... was piloting his local Piccadilly Theater..... which was destined to become the exhibition birthplace of the talkies..... via Vitaphone after the Warners purchased the house..... as their Great White Way "showcase"..... and re-christened the stand..... with their own name..... As we have stated..... Mister Mix had never been accorded a B-way de luxe engagement..... and when the Fox-ites proposed that the Piccadilly break the ice..... the idea got the cold shoulder..... To let Fox down easy..... your reporter (then house managing and publicity directing the theater) was dispatched to the Tenth Ave. balliwick's screening room with the clearly implied instructions:..... "Don't you dare like the picture!".....

● ● ● THE screening was an exclusive affair..... attended by Milton Schwartz o' the Fox clan..... and your correspondent..... who had rehearsed long and intensively on the art of sour-pussing..... Well, Sir, Mister Mix was terrific..... so much so that the writer burst back to the boss..... with a barrage of superlatives anent the merits of the picture..... After the executive cooled down..... the picture was booked..... and did great biz..... Much of the latter was due to Joe Lee..... now Brooklyn sparkplug for the Fabian interests..... but then promotional voice for Tom Mix.....

● ● ● ANOTHER factor in the "Dick Turpin" triumph..... was the backing of the local first-line critics..... who held Mix and the vehicle up to readers in glowing terms..... Some of them were privately intrigued by one scene..... and came repeatedly to see it..... It was the climax of a long and wild ride o'er the countryside by Mix..... He took Tony his horse spectacularly over a castle gate..... when the citadel's caretaker (despite the era) mortally wounded the steed with a Winchester rifle..... The prone horse, refusing to fall in with the spirit of the scenario, looked up at his master..... as much as to say: "What the hell is this all about?"..... Then came the sub-title "spoken" by Mix: "Good-bye, Old Pal!"..... with Tony continuing to wear that quit-kiddin'-and-let-me-up look..... It amused the reviewers but to this corner there was something symbolic and pathetic about the horse's attitude..... Broadway didn't want to let Mister Mix up..... and when it did..... Mister Mix didn't let Broadway down!.....

● ● ● STUFF:..... Harry Brandt, Garson Kanin and Joe E. Brown will be 'mong guest speakers at the Ampa luncheon on Thursday..... This afternoon the Music Hall's studio apartment will be the scene of a cocktail reception for Charles Laughton..... Out in Cincy, J. J. Grady of 20th-Fox won the annual Variety Club golf journey play-off from Harold Merton, victor grabbing club trophy plus a diamond tie pin..... Andy Niedenthal, owner of the Norwood (Ohio) Theater is arrangements chairman for the testimonial dinner to Martin Smith, prexy of Ohio Indie Theater Owners, in Columbus on Oct. 30.....

See New Wage-Hour Rulings as Pix Help

(Continued from Page 1)

making at least \$200 a month are exempt from the over-time provisions. At the hearing attorneys for the industry pointed out they were not concerned with the minimum wage requirements, as these are met in all instances, but were anxious that those making large salaries be allowed to work over-time if necessary without paying time and a half.

Previously classified with executive, the "administrative" definition besides the \$200 provision lays down three classes and determines who are exempt. They all must be engaged in non-manual work which requires the exercise of discretion and independent judgment.

The first type exempted is one who regularly and directly assists an executive or another exempt administrative employee. The second is one who performs under only general supervision office or field work directly related to management policy or general business operations along specialized or technical lines requiring special training, experience, or knowledge. And the third is one whose work involves the execution under only general supervision of special assignments or tasks directly related to management policies or general business operations.

Unofficial interpretations believe this will cover cameramen, soundmen, heads, directors and assistants, and other skilled technicians making the required minimum salary.

A new provision in the "executive" definition provides hours of work of the same nature as that performed by non-exempt employees do not exceed 20 per cent of the number of hours worked in the work week by the non-exempt employee under his direction. This does not apply in case of employees who are in sole charge of an independent establishment or physically separated branch establishments. Other provisions for "executives" are substantially the same.

The \$200 and 20 per cent of hours worked provisions is also extended to cover professional employees. Also exempt are employees in the artistic professions in the broad sense of the word, which Col. Philip B. Fleming, Administrator, said is meant to cover writers, photographers, motion picture actors, musicians, etc.

The new regulations go into effect Oct. 24.

Perfect "Dual" Bill

Pittsburgh — There's nothing like a sense of humor for an exhibitor these days.

Local theater man who has been forced by competition to resort to enameled ware premiums looked for just the right pix. He found it and so his marquee heralded:

"The Burning Question"
Free Pots to the Ladies

THE POST'S

LEADING

Lady

WILL BE

THE

SCREEN'S

NEW

Queen!



Music by Max Steiner • Original Screen Play by Willis D. Olson
Based Upon Characters Created by Norman Reilly Koss

Annie holds the record!



She's the Satevepost readers' Favorite Fiction Character and has been for *ten* solid years! There's all of this self-starting patronage ready for your showing, so yell the news when ...

'Tugboat Annie Sails Again'

**WORLD PREMIERE OCT. 18 IN
3 THEATRES TACOMA, WASH.**

(Annie's home port)

with **MARJORIE RAMBEAU · ALAN HALE · JANE WYMAN · RONALD REAGAN**

Directed by **LEWIS SEILER**

.. AND YOU, GET IT
RIGHT AFTER
ROBINSON
in 'A DISPATCH
FROM REUTER'S'!

IT'S SUCH IMPORTANT MOVIE NEWS that we've advertised it in not one, but two issues of the Saturday Evening Post! Also two consecutive months of fan magazine advertising! Plus giant newspaper ads! All timed to meet the national release by **WARNER BROS.**

"Dictator" Premiere Attracts Notables

(Continued from Page 1)

be divided between the Astor and the Capitol Theaters tonight for the opening of Charles Chaplin's "The Great Dictator." Replete with industry executives and notables, it will be headed by Chaplin, Paulette Goddard and Jack Oakie, who play the comedy's three leads.

An equally brilliant press audience saw the picture at an invitation preview at the Astor last night, virtually every critic and columnist in the East attending in addition to newspaper and magazine executives.

Among those who will attend tonight's formal premiere, to be broadcast over WHN, are:

Murray Silverstone, Postmaster General Frank C. Walker, Will H. Hays, Joseph M. Proskauer, Jack L. Warner, Clifton Fadiman, Fannie Hurst, Somerset Maugham, Elsa Maxwell, Constance Collier, Harry L. Cohn, Nicholas M. Schenck, Barney Balaban, Adolph Zukor, Maj. Albert Warner, Arthur W. Kelly, John D. Hertz, Jr., Jack Alcott, Frank Crowninshield, Henry R. Luce, James McCosker, John Otterson, Sol Rosenblatt.

Also, David O. Selznick, Walter Wanger, Joan Bennett, John Hay Whitney, Joan Crawford, W. G. Van Schmus, Stanton Griffiths, David Sarnoff, William S. Paley, Leo Spitz, J. Cheever Cordin, Nate Blumberg, Jack Cohn, M. H. Aylesworth, Don Messereau, Chester B. Bahr, Clarence Dillon, John Golden, Max Gordon, Sam Harris, Lee Shubert.

Also, Elmer Rice, Douglas Fairbanks, Jr., Mrs. Joseph P. Kennedy, William Morris, Louis Nizer, Billy Rose, Bill Robinson, Harry M. Warner, Jules Brulatour, Messmore Kendall, Harry L. Gold, Spyros Skouras, Nick Holden, Irving Berlin, Deems Taylor, Arthur Hays Sulzberger, Sir William Wiseman, Maj. Edward Bowes, Harry D. Buckley, Roy E. Larsen, Conde Nast, Howard Cullman, Irving Caesar, L. J. Schaefer.

Chaplin will speak over the radio for the first time in 12 years when he speaks tonight over WHN at the special broadcast of his film's opening at the Capitol Theater, 8:15 to 8:45. Others who will appear on the show are Jack Oakie, Joan Crawford, Joan Bennett, Major Edward Bowes and H. G. Wells.

WEDDING BELLS

Green Bay, Wis.—Harry McLaughlin, assistant manager of the Beverly Hills theater, Chicago, was married here to Geraldine Destache.

Chicopee, Mass.—Miss Jane M. Los, cashier at the Rivoli Theater, here, became the bride of Francis H. Mills at St. Stanislaus Church.

Cleveland—Sylvia Chisek of Vita-graph, and a sister of Lester Zucker, Columbia branch manager, has announced her engagement to Henry Stern of this city.

Lorain, O.—Louis Lamm, manager of the Palace Theater, and Mrs. Lamm were in Chicago this week to attend the marriage of their daughter, Blanche, to Jack Abrams of Milwaukee. Mr. and Mrs. Julius Lamm of Cleveland and the Uptown Theater, also attended.

TWO-REELERS MULLED BY CHAPLIN

Has Two Features in Mind, but Does Not Contemplate Appearance in Either One

Charles Chaplin would like to make two-reel slapstick comedies. At a press conference Sunday, the comedian-producer said he had no definite plans along those lines but that he had been giving the idea some consideration.

The younger generation, Chaplin admitted, doesn't know him and two-reelers might be a way of re-introducing himself to the younger people and, at the same time, help to

stimulate interest in short subjects.

Chaplin slipped quietly into New York Saturday for his first visit in 10 years in connection with tonight's world premiere of "The Great Dictator" and held an informal interview with the press Sunday afternoon at the Waldorf. Chaplin said he had two other features in mind, one of which was "Regency" and the other was "The White Russian." It is not likely that he will appear in either, but he would be the producer.

IATSE Members in Service To Be Exempt from Dues

(Continued from Page 1)

good standing and will have their seniority respected if they volunteer or are conscripted for service in any of the governmental armed forces, it was learned yesterday.

The IATSE and the A F L took the same action in 1917. Ruling remains effective as long as a man is in service.

Ansell Squawks Against Union Scid Before U. S.

St. Louis—Ansell Bros., operating the Empress, Ritz and Varsity, are reliably reported to have lodged a complaint with the D of J anti-trust division here against Local 6, stage hands. Basis of the complaint is understood to be the demands made by the union with reference to the Ansell proposal to install stage shows in the Empress, 1,474-seater on Olive St.

Empress at present uses a crew of three for films. According to Lou Ansell, the house offered to put on six stage hands, but was met with a demand for nine, six at \$75 a week and three at \$67.50. This demand was rejected, and the complaint to the D of J followed.

D of J already has a complaint from Clarence Kaimann of the Kaimann Bros. circuit as a result of another dispute with Local 6, and is reported to be interested as well in the circumstances which forced the closing of Mrs. Bessie Schuler's Powhattan theater in Maplewood.

Boyd in New Sherman Pact

West Coast Bureau of THE FILM DAILY

Hollywood—Harry Sherman, Paramount producer, has signed William Boyd to a new contract for the latter to continue playing the role indefinitely of Hopalong Cassidy in the Sherman series.

Pact is set to include a yearly option clause.

Chi. Operators Confab Today

Chicago—Theater owners will meet with officials of Chicago operators this afternoon in an effort to settle a new operators' contract.

Local 644 Bargainer For Studio Scenic Artists

(Continued from Page 1)

a secret ballot election conducted on Sept. 26-27 in which 58 votes were cast for the A F L union and 16 for Scenic Arts Association of America, Inc. The nine studios are: Warner's, RKO, 20th Century-Fox, Columbia, Loew's, Universal, Samuel Goldwyn, Paramount and Hal Roach Studios.

Gala Premiere for "Thief" At Warm Springs, Ga.

Warm Springs, Ga.—All the excitement and zest of a gala premiere came to the stricken youngsters of Warm Springs Foundation: in Georgia yesterday when the Alexander Korda Technicolor production "The Thief of Bagdad," had its world premiere under the auspices of President Franklin D. Roosevelt.

While the opening had all the ceremony and color which characterizes the gala showing in Hollywood or New York, the audience instead of driving up in limousines, arrived in wheelchairs and stretchers; there were no ermine coats but bedjackets and bathrobes. As the line of 96 chairs and stretchers came down the lane from the hospital to the theater however, they passed over long red carpet runners, under gaily striped canopies and between rows of spotlights.

Sabu and June Duprez, sent by Korda at the request of the Warm Springs Foundation, were here to welcome the youngsters and to be with them during the showing. In typical premiere style there was a gay and laughing party the night before in Georgia Hall on the Foundation grounds where Sabu and Miss Duprez sang to and with the patients who were attending their first movie party.

Airlines Theater to Open

AirlinesNews Theater, in the Airlines Terminal Building at 42nd St. and Park Ave., will have its formal opening on Friday and operate on a continuous one-hour-show policy, presenting newsreels and shorts. House is a thoroughly modern 528-seater.

Coast Studios Start Seven Pix This Week

West Coast Bureau of THE FILM DAILY

Hollywood—Seven pictures are scheduled to go into production this week. The list:

At Paramount: "Lady Eve" with Barbara Stanwyck, Henry Fonda, Charles Coburn and Eugene Palette; Harry Sherman's "Bullets and Bandits."

At RKO-Radio: Walt Disney's "The Reluctant Dragon" with Robert Benchley, Frances Gifford, Buddy Pepper, Nana Bryant, John Barclay and Cartoon Characters; "The Saint in Palm Springs" with George Sanders and Wendy Barrie.

At Republic: "Flagpole Needs a Flag."

At Warners: "Footsteps in the Dark" with Errol Flynn, Olivia de Havilland and Peggy Diggins; "He Stayed Kissed."

Deposition Taking May Delay La Crosse Suit

(Continued from Page 1)

Theaters Co., Minnesota Amusement Co., 20th Century-Fox, United Artists and Paramount, scheduled for opening yesterday in U. S. District Court at Madison, Wis., it was learned.

The La Crosse Theater firm has charged the defendants with conspiracy by their alleged refusal to release films to it.

Demonstrate Panorams And Soundies Monday

A demonstration of the Mills Panorama Movie Machine and "Soundies" will be held next Monday night in the Starlight Roof of the Waldorf-Astoria Hotel. The demonstration of the coin-in-slot machines will be held for the press and members of the theatrical, radio and musical fields. James Roosevelt and Fred Mills will be the hosts.

Warren Slee Recovers

Grand Rapids, Mich.—Warren A. Slee, exploiter for M-G-M, with headquarters at Detroit, is back on the job after a bout with pneumonia which confined him to a hospital in Petoskey.

STORKS!

Cleveland—Dot Barber, until recently with Metro and Ted Barber, former Paramount booker, are the parents of a 7½ pound boy.

Saginaw, Mich.—Howard W. R. Sturgess, owner of the Gem, is the father of a nine pound boy William Clarence, named after the grandfather, W. R. Sturgess, salesman for Republic.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"The Thief of Bagdad"

with Conrad Veidt, Sabu, June Duprez, Rex Ingram

UA-Korda 106 Mins.

(HOLLYWOOD PREVIEW)
FANTASY RANKS WITH THE SCREEN'S MOST LAVISH PRODUCTIONS: SHOULD DELIGHT FANS.

Enriched by Technicolor and eye-filling and breath-taking scenes of beauty and splendor, the popular fantasy, "The Thief of Bagdad," returns to the screen and should delight fans of all sizes and ages. It is rich in color, costumes and backgrounds and easily ranks with the most lavish and opulent productions of cinema history.

The picture is a triumph for Alexander Korda, who surrounded himself with exceptionally able production aides in the persons of Zoltan Korda and William Cameron Menzies, associate producers; Ludwig Berger, Michael Powell and Tim Whelan, who share directorial credit; Vincent Korda, who designed the production in color. Many boys are due George Perinal, chief photographer, and Lawrence Butler, who directed the special effects. Natalie Kalmus served as Technicolor director. To Miles Malleston goes credit for screenplay and dialogue and to Lajos Biro for the scenario.

The acting is exceptionally good, with Sabu very appealing as the sly, cunning, yet almost naive "Thief of Bagdad," who comes to the rescue of the trouble-ridden young lovers, the blind John Justin and the beautiful June Duprez. Conrad Veidt is very convincingly menacing and sinister as a cruel, powerful, hypnotic magician, who loves June in vain. Justin is splendid as the romantic king, who searches far and wide for June. June, in turn, does fine work as the object of Justin's affections. Rex Ingram, the Negro actor, is outstanding as a Genie, upon whose mammoth back, Sabu flies through space in search of Justin.

Cruel Conrad Veidt sells his invention, a flying horse, to June's father in exchange for her. Veidt also forces blindness upon young Justin, who had trusted him. Strolling along a beach, Sabu picks up a bottle. He opens it, thus releasing the spirit of Rex Ingram, who had been imprisoned for 2,000 years and through a haze emerges the giant, Ingram. Ingram takes Sabu on adventures to far places, but Sabu's real triumph comes when he gets possession of a magic carpet, and properly armed, flies on the carpet to Justin, who is about to be beheaded by Veidt's men. Sabu shoots down Veidt, who is trying to escape on the flying horse, and brings Justin and June together.

CAST: Conrad Veidt, Sabu, June Duprez, John Justin, Rex Ingram, Miles Malleston, Morton Seltan, Mary Morris, Bruce Winston, Hay Petrie, Adelaide Hall, Roy Emerton, Allan Jeaves.

CREDITS: Producer, Alexander Korda; Associate producers, Zoltan Korda, William Cameron Menzies; Directors, Ludwig Berger, Michael Powell and Tim Whelan; Scenario, Lajos Biro; Screenplay and Dialogue, Miles Malleston; Production Designed in color by Vincent Korda; Cameraman, George Perinal; Associate cameraman, Osmond Borradale; Special Effects directed by Lawrence Butler; Musical score and Songs, Miklos Rozsa; Supervising Editor, William

"Argentine Nights"

with The Ritz Brothers, The Andrews Sisters, Constance Moore, George Reeves Universal 74 Mins.

POP MUSICAL COMEDY, DEFINITELY MADCAP BUT GEARED TO GET PLENTY OF GOOD LAUGHS.

Like two sets of football backfields, The Ritz Brothers and Andrews Sisters alternate in lugging the entertainment leather in this one. The former's long suit is, of course, comedy, while the latter's stock in trade is torridly chanted pop songs. Here and there, the Ritz gents show their versatility by piping a few melodies themselves, and not to be outdone, the Andrews gals turn to clowning at intervals.

Patrons who like straight laughs springing from close to outright slapstick, and musical numbers of the super-swing school, will enjoy "Argentine Nights," which is completely slap-happy throughout.

The film has about as much of a story as is necessary to keep the proceedings in so-so continuity. It can be summed-up in about one sentence:—A bunch of musical comedy folk go from the U. S. A. to Argentina with two episodic results of consequence, namely, they put a small hotel in the outlying sections of Buenos Aires on its feet, and Constance Moore and George Reeves (who is a wealthy polo-playing bachelor) go amorously and mutually ga-ga.

Outside of these elements the accent is almost wholly on rampant fun. Highlights of the avalanche of comedy are an imitation of The Andrews Sisters by the Ritz Brothers, and a hilarious bit wherein the boys, who are stowaways on the Argentina-bound boat, are chucked into the galley to wash dishes, whereupon they appropriate a gigantic loaf of sandwich bread, cut it horizontally, and feast from the ensuing gargantuan morsel. Pace generally is swift and amusing,—fitted to a mood which so light and dizzy that the troubles of the world seem as far distant as Mars.

Ritz-rendered songs are: "The Spirit of 77 B" and "Brooklynonga." The Andrews ditties: "Hit the Road," "The New Lick," "Oh, He Loves Me" and "Rhumbogogie." The comely Constance Moore sings delightfully "Once Upon a Dream," and, with the chorus, "Hall of the Mountain Queen." George Reeves and his band of "outlaws" render "Amigo We Go Riding Tonight!" effectively. Direction is okay and so is the photography.

CAST: The Ritz Brothers, The Andrews Sisters; Constance Moore, George Reeves, Peggy Moran, Anne Nagel, Kathryn Adams, Ferike Bors, Paul Porcasi.

CREDITS: Director, Albert S. Rogell; Associate Producer, Ken Goldsmith; Screenplay, Arthur T. Horman, Ray Golden, Sid Kuller; Original Story, J. Robert Bren, Glady's Atwater; Musical Director, Charles Previn; Costumes, Vera West; Cameraman, Elwood Bredell; Sound Supervisor, Bernard B. Brown; Art Director, Jack Otterson.

DIRECTION, Okay. PHOTOGRAPHY, Good.

Hornbeck; Editor, Charles Crichton; Technical director, Natalie Kalmus; Musical director, Muir Mathieson; Sound director, A. W. Watkins.

DIRECTION, Capable. PHOTOGRAPHY, Excellent.

"The Hit Parade of 1941"

with Kenny Baker, Frances Langford, Hugh Herbert Republic 86 Mins.

(HOLLYWOOD PREVIEW)
COMEDY, CLEVER SINGING AND DANCING BLENDED TO OFFER CORKING ENTERTAINMENT.

Embracing much comedy, clever singing and dancing, the newest edition of the "Hit Parade" series has a great deal to offer in the way of entertainment. Director John H. Auer has effectively blended the various elements of the musical comedy. To Sol C. Siegel goes important credit as associate producer.

A small army of comedians and comedienne is used to advantage. It includes the always amusing Hugh Herbert, Mary Boland, Patsy Kelly, Phil Silvers, Franklin Pangborn and Sterling Holloway. And then for added measure Borrah Minevich and his Harmonica Rascals score solidly with their capers and music. Donald MacBride and Barnett Parker are among the principals.

Kenny Baker and Frances Langford handle the songs, with "Who Am I?" and "Swing Low, Swing High," the best of the six numbers written by Jule Styne and Walter Bullock. Easily one of the highlights of the picture is the dancing of beautiful Ann Miller. Cy Feuer rates credit for directing the music.

Hugh Herbert is the befuddled owner of an antique shop and is induced to trade it for a small radio station. His principal aide is his nephew, Kenny Baker. When it appears that television is about to ruin his new business, eccentric Herbert gets a bank to finance him for television equipment.

Mary Boland, a department store owner, agrees to sponsor a program on the Herbert station, but insists that her daughter sing as part of the show. The problem is solved, when unknown to Miss Boland and Ann, Frances Langford sings from the sound room, and it is her voice that really goes over the air. However, the hoax is finally exposed by Patsy Kelly, who believes Kenny is showing more interest in Ann than his sweetheart, Frances. All ends happily, when Ann realizes she is more fitted for dancing, and Kenny and Frances settle their differences.

CAST: Kenny Baker, Frances Langford, Hugh Herbert, Mary Boland, Ann Miller, Patsy Kelly, Phil Silvers, Sterling Holloway, Donald MacBride, Barnett Parker, Franklin Pangborn, Six Hits and a Miss and Borrah Minevitch and His Harmonica Rascals.

CREDITS: Associate Producer, Sol C. Siegel; Director, John H. Auer; Authors, Bradford Ropes, F. Hugh Herbert, Maurice Leo; Screenplay, same; Additional comedy sequences, Sid Kuller, Ray Golden; Cameraman, Jack Marta; Editor, William Morgan; Musical director, Cy Feuer; Dance director, Danny Dare; Music by Jule Styne, Lyrics by Walter Bullock; Orchestral arrangements, Walter Scharf and Gene Rose; Art director, John Victor Mackay.

DIRECTION, Effective. PHOTOGRAPHY, Very Good.

"Trailing Double Trouble"

with Ray "Crash" Corrigan, John "Dusty" King, Max "Alibi" Terhune Monogram-Weeks 56 Mins.

(HOLLYWOOD PREVIEW)

THE RANGE BUSTERS IN A LIVELY ACTION STORY SHOULD PLEASE WESTERN FANS.

The Range Busters again hit the trail, and with their hard-riding and doughy fists come to the rescue of a fair maiden and her baby niece. Director S. Roy Luby has kept things moving at a lively pace and has maintained interest to the end. George W. Weeks functioned as producer and Anna Bell Ward as associate producer.

Roy "Crash" Corrigan and John "Dusty" King, who crave action, do their stuff well, while their partner, Max "Alibi" Terhune, is no less handy with his fists. Lita Conway is a comely heroine, while Roy Barcroft, and Tom Rutherford are the principal schemers and villains whom the "Range Busters" bring to justice. Tom London, William Kellogg, baby Nancy Louise King, Forrest Taylor and Ken Duncan are among the principals.

"The Range Busters" see baby Nancy's father shot down and go to her rescue. They learn that Lita Conway is a sister of the slain man and that Roy Barcroft is empowered to act as the executor of the murdered man's estate if he can find the baby. Corrigan finds that Barcroft is trying to make a deal to sell more gravel from Lita's brother's land, although the murder victim had opposed such a plan; also that Barcroft and Rutherford had hired men to commit the murder. Of course, the "Busters" succeed in turning Barcroft and Rutherford and his henchmen over to the law.

CAST: Ray "Crash" Corrigan, John "Dusty" King, Max "Alibi" Terhune and Elmer, Lita Conway, Nancy Louise King, Roy Barcroft, Jack Rutherford, Tom London, William Kellogg, Earl Matthews, Forrest Taylor, Ken Duncan, Jimmy Wakely and his rough riders, Rex Felker.

CREDITS: Producer, George W. Weeks; Associate producer, Anna Bell Ward; Director, S. Roy Luby; Screen adaptation, Oliver Drake; Cameraman, Ed Linden; Musical director, Frank Sanucci; Editor, Roy Claire; Featured song "Under The Western Skies" by Lew Porter and Johnny Lange.

DIRECTION, Lively. PHOTOGRAPHY, Good.

Val Paul in Lincoln For "Miss Bishop" Shots

Lincoln, Neb.—With Val Paul, production chief in charge, a crew of 10 from Richard A. Rowland's picture, "Cheers for Miss Bishop," are on location here for farm, prairie, and University of Nebraska background shots.

Paul said the crew would spend approximately \$10,000 altogether on the jaunt here, much of the money going to 300 University extras. Rowland may premiere the Bess Streeter Aldrich yarn here.

THEY KNEW WHA

RADIO CITY DRAWING CAPACITY CROWDS
... WEEK-END BUSINESS THERE AND AT
SAN FRANCISCO, CHICAGO, BOSTON,
NEW ORLEANS, DETROIT AND COLUMBUS
SOARS TOWARD PEAK WEEKS ... HOLD-
OVERS SET AND THE YEAR'S GREAT
DRAMA READIES FOR MORE BIG OPEN-
INGS THIS WEEK AND NEXT!



Carole

LOMBARD

in "*They Knew What*"

DIRECTED BY G

with WILLIAM GARGAN · HARRY CAREY · FRANK FA

THEY WANTED IN NEW YORK, TOO!

KATE CAMERON, N.Y. DAILY NEWS —

"A finely acted and superbly directed motion picture . . . Story a deeply stirring manifestation of passion in various forms . . . A mixture of hearty comedy and tense drama."

LEE MORTIMER, N.Y. DAILY MIRROR —

"This tense, powerful portrayal of Sidney Howard's Pulitzer Prize-winning play is the best picture to tenant the Music Hall since 'Rebecca'. Like that film it will receive serious consideration for the Academy Award."

HOWARD BARNES, N.Y. HERALD-TRIB. —

"Recreates a real chunk of human experience . . . Few enough motion pictures do this, and when one does, it should be saluted . . . It is an excellent film...absorbing and moving...deserves to be called distinguished."

Charles

WILLIAM BOEHNEL, N.Y. WORLD-TEL. —

"A fine and moving comedy-drama . . . The acting in every way is superb . . . Charles Laughton gives a heartrending performance, and fine jobs are turned in by Miss Lombard and Gargan as the two who sin."

EILEEN CREELMAN, N.Y. SUN —

"The Music Hall carries along still further the current flood of good pictures . . . 'They Knew What They Wanted' is a warmly human drama, a picture that will remain in your mind and your heart for a long, long time."

ROSE PELSWICK, N.Y. JOUR.-AMERICAN —

"Expertly translated to the screen . . . takes its place as one of the season's outstanding productions."

ARCHER WINSTEN, N.Y. POST —

"Everyone connected with 'They Knew What They Wanted' has done a good job."



LAUGHTON

"What They Wanted"

G. SON KANIN



HARRY E. EDINGTON, Executive Producer • Produced by ERICH POMMER • Screen Play by Robert Ardrey • From the Pulitzer Prize Play by Sidney Howard

Court Okays Record Over Ascap Protest

(Continued from Page 1)

Finkelstein, of New York Ascap counsel, appeared before the tribunal and presented the society's case. Frohlich asked that the record contain exact transcripts of questions and answers of the previous hearing before the same three judges in Lincoln, when the court issued a permanent injunction against enforcement of an anti-Ascap law passed in 1937.

At that time the court held the law unconstitutional and the state of Nebraska appealed to the U. S. Supreme Court. At the Omaha hearing, William J. Hotz of the state said his condensation of the case contained everything that happened at the Lincoln hearing, in condensed form.

Frohlich told the court that there is a lot of material in the condensed record "that has no place in the presentation." He said the record left out half of the important material presented before the court in Lincoln.

Frohlich said he wanted the full and complete record before the U. S. Supreme Court "because I don't know where they're going to hit me and I must be prepared."

2 Milwaukee Houses Sue Fox-Wisconsin Amuse. Co.

(Continued from Page 1)

Tower theaters in Milwaukee during the three years it operated the houses ending 1937.

The plaintiff alleges that Fox permitted the Downer and State to obtain waivers reducing the 14-day required clearance over the Oriental and Tower, thereby resulting in pictures playing the former houses at lower admissions often only a few days after the Oriental and Tower instead of the required 14 days. The case is pending here before Circuit Judge Gustav G. Gehrz.

Arline Judge Back with 20th-Fox

West Coast Bureau of THE FILM DAILY

Hollywood—Arline Judge, who retired from the screen upon her marriage in 1937, has returned to the Twentieth Century-Fox fold for the unexpired term of her old contract which has some months to run.

Court Ban on Bingo Defied In Wisconsin

Milwaukee—Despite a state Supreme Court ruling holding Bingo to be a lottery, games continue to flourish in Beaver Dam with a dozen games advertised in a single issue of the local newspaper at at many different halls on five nights in the week. Penny games are apparently among the most popular. Reports from around the state indicate that organizations which had suspended the games following the high court's ruling a number of months ago, are again operating.

Warners Time "Knut Rockne's" Broadcast Dec. 2 to Aid Pix's Subsequent Runs

Timed for subsequent runs, Warners' "Knut Rockne—All American" will be the Lux Radio Theater broadcast attraction on Monday, Dec. 2. The radio show will star Pat O'Brien, Ronald Reagan, Gale Page and Donald Crisp with the complete original motion picture cast.

Coming as a big air attraction for the week preceding the Notre Dame-U. S. C. game in Los Angeles, the Lux show will mark a new high in radio exploitation of a motion picture. Incidentally, it will be the 33rd national hook-up in connection with the "Rockne" film.

Tri-State Exhibs. Hear Consent Decree Talk

Memphis—A discussion of the consent decree proposal in the Government's equity suit against the majors was the chief topic on the agenda for the second day of the session of the MPTO of Ark., Miss. and Tenn., which convened here Sunday. R. X. Williams, Tri-State's prexy and Mayor of Oxford, Miss., presided.

Sunday was given over to social events and the viewing of important new pictures. Exhibs. from the three states yesterday heard addresses by Y. Frank Freeman, vice-prexy in charge of Para's studios; Ed Kuykendall, MPTOA prexy; John Flinn of Variety; William Formsby of Box Office; H. M. Richey, exhib. contact for M-G-M; Claude Lee, public relations director of Paramount; and Harry Graham of Atlanta, Southern division manager for Universal Pictures.

M. A. Lightman called a meeting of all managers of his Malco Circuit immediately following close of the Tri-State convention.

Warners Ties In with Army NWBC Radio Show Nov. 19

Washington Bureau of THE FILM DAILY

Washington—A major motion picture studio will take part in a Government broadcast for the first time Saturday when Warner Bros. co-operate with the War Department on a national trans-oceanic network show over NBC's blue network.

Army broadcast will open here, jump to Honolulu and then back to Warners where a radio adaptation of "Service With the Colors," preparedness short, will be aired for 15 minutes. Edward G. Robinson will be guest speaker. From Hollywood, program will switch back to Washington for signoff.

B & K Houses Selling NWMP Premiere Tickets

Chicago—For the first time, in the circuit's history, tickets are being sold for the U. S. premiere Oct. 24 of NWMP at the Chicago theater by other B & K houses.

Start "Penny Serenade"

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia has scheduled "Penny Serenade," starring Irene Dunne and Cary Grant, to go into production this week. Picture will be George Stevens' first directorial assignment under his new producer-director contract with the studio.

Schenck Calls Meeting On "Night of Stars"

Marvin Schenck, chairman of the producing committee for the "Night of Stars," will hold a meeting today in his Loew's State Theater Building office to discuss plans for event which will be held in Madison Sq. Garden on the night of Nov. 27. Committee members slated to attend today include Bob Weisman, Arthur Knorr, Sid Piermont, Larry Puck, Frank Roehrenbeck, Harry Romm, Ed Sherman, John Schubert, Don Albert, S. Hurok, Lester B. Isaac, Jesse Kaye, and Harry and Nat Kalcheim.

Stars who have already sent in their written acceptances to appear in the big show, Schenck announced yesterday, include Eddie Cantor, Ed Wynn, Glenn Miller, Jane Froman, Lucy Monroe, the entire "Hit Parade" cast with Mark Warnow, Bea Wain, Barry Wood and Andre Baruch, Danny Kaye, Billy Gaxton, Casa Loma Orchestra, Frances Langford, Jon Hall, Eddie Duchin, Block & Sully, Abe Lyman, Victor Moore, Carol Bruce, Bert Lahr, Milton Berle, Benny Fields, Coss & Dunn, and Jay C. Flippen.

Further personnel of the show will be announced at today's meeting, Schenck said.

RKO Sets Nov. 11 Release For "Power and the Land"

"Power and the Land," Government documentary, which RKO is distributing, will have its national release date on Nov. 11, Ned E. Depinet, vice-president of RKO Radio Pictures, said yesterday.

RKO is handling "Power and the Land" free of film rental to theaters and is giving its distribution and showmanship facilities without remuneration. Theaters may obtain the production for showing by applying to any of the 32 RKO Radio U. S. exchanges.

Mitchell Funeral Today

Long Branch, N. J.—Funeral service will be held this morning for Charles E. Mitchell, retired stage actor, who died here on the weekend at the home of his daughter, Mrs. Edward B. Bogers. Besides the latter, two of the deceased's children, John A. and Charles E. Mitchell Jr. survive, as does a sister, Mrs. Russell Wright.

New Penn Opens Today

Mt. Pleasant, Pa.—The 400-seat New Penn Theater, which has been built on the site of the old Cox Theater, here, will open today.

NEWS OF THE DAY

Bartow, Fla.—Earl Murray, manager of the Ritz Theater, has been transferred to the State Theater at Eustis, and the Mount Dora Theater at Mount Dora. Howard Jaudon of Tampa, who has been managing the Colony Theater at Winter Park, succeeds here.

Brundidge, Ala.—Charlie Orr, veteran of the Fred T. McLendon theater organization, has arrived to become manager of the Brundidge Theater. Orr was formerly manager of Luverne, Ala. and Milton, Fla. theaters.

Worcester, Mass.—J. G. Ehrlich of Boston, who has been publicity director for RKO, has been appointed manager of the Plymouth Theater to succeed R. Lawson Daniels, transferred to the managementship of the Capitol Theater, Pawtucket, R. I.

Boaz, Ala.—The new Boaz Theater has opened with Thomas E. Orr as manager.

New Haven—Certificate of incorporation has been filed by Bald Eagle Film Productions, Inc., producers of 16 mm. film, with \$49,000 authorized capital, and \$4,000 to commence business. Incorporators are Joseph Einhorn, Wallace Rosenthal, and Joseph Cohn, all of New Haven.

New Haven—Francis Joyce, former assistant shipper at the RKO exchange, has been promoted to assistant booker, replacing Stanley Levin, who is preparing for his Bar exams and a legal career.

Cincinnati—Cinema Club will meet Oct. 26 at the Variety Club.

Cleveland—The Cleveland Warner Club is in the throes of preparations for a barn dance and Halloween party to be held in the club rooms on Nov. 1st. Marty Friedman, vice-president in charge of social activities is in charge of arrangements with the assistance of Tony Lurie, Don Myers, Lillian Hahn, Guy Ellis, Rosamund Hoffman, Arnold Nathanson and Irving Ruben.

Montgomery, Ala.—Robert McLendon, connected with the Paramount and Empire Theaters in this city for some years, has gone to Fairhope, as manager of Fairhope Theater.

Rochester—Bob Meagher, advertising and publicity man for Schine's here, has added the managementship of the Lake to his list of duties.

Columbia Buys "Show Business"

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia has bought screen rights to "Show Business," an unproduced play written by Alexander Ruben. Robert Lively is making the screen adaptation.

Kuykendall, Brandt Asked for Stand

(Continued from Page 1)

aimed at curbing chain buying power?

"As head of a large buying combine, how does Mr. Brandt stand on the provisions which are aimed at

Harry Brandt said last night he would reply to *Allied's* bulletin as soon as he had time to study the charges. "Abram Myers knows my attitude toward the decree as a whole," Brandt said. "I think he is trying to drag a red herring across the trail."

Kuykendall, who is in Memphis, could not be reached for a statement.

curbing the buying power of the combines?"

The bulletin also asserted that "these men should state their position on the clear-cut provision against forcing short subjects and newsreels; the provision for leasing pictures within the exchange district; the provision for making pictures available on some run; the provision for arbitrating clearance disputes; the remedy for discriminating in favor of circuits and buying combines; the limitation on the acquisition of theaters and the escape clause. Are they for or against these provisions?"

Continuing, the bulletin stated that Kuykendall "has indicated that he is against all Government interference. After all the years of futility and frustration, does he think that the relief embodied in the above-mentioned provisions will be forthcoming by voluntary action of the distributors and the circuits?"

"Mr. Brandt at the hearing on the Neely Bill declared that the worst evil of the business was domination by the affiliated theaters. Does he now object to relief against such domination because buying combines have been put in the same category with the circuits?"

The bulletin also asked that Kuykendall and Brandt comment on the proposed remedy for discrimination which "contains conditions and limitations that hamper its effectiveness," and the provision to limit acquisition of theaters by the producer-distributors which "contains serious loopholes."

Will Dispose Of, But May Not Drop Contempt Moves

Washington Bureau of THE FILM DAILY
Washington — Pending contempt proceedings in Los Angeles and Chicago "will be disposed of" but not necessarily dropped if the consent decree in the New York equity suit is adopted, a Department of Justice spokesman said here yesterday. Observers here believe that under that interpretation, contempt cases will not be pressed if the parties agree to abide by certain conditions.

Even though anti-trust suits throughout the country—notably "may be dismissed" if the decree is adopted, the D of J will go ahead against any defendant named and deemed in violation of the anti-trust laws, it was said.

Ritter Hurt In Fight For 'Oklahoma Bound'

West Coast Bur., THE FILM DAILY
Hollywood—Tex Ritter was injured while on location at Keene's Camp, Idyllwild, for filming of scenes for his next picture, "Oklahoma Bound," being produced by Edward Finney for Monogram. In a fight scene between Gene Altsch and Carl Hackett, heaves in the picture, Ritter's knee was badly hurt and he received cuts about the head and face. Due to Ritter's injuries, the picture will be delayed for two weeks.

N. Y. MPTO to Have Two Branch Offices

(Continued from Page 1)

which will confine its activities mainly to Metropolitan New York and sections of New Jersey.

With the main office in Buffalo, branch offices are to be established in Syracuse and Albany before Jan. 1 and committees in charge of membership are now working at both points. The directorate of the New York State group will include representatives from the Buffalo, Syracuse and Albany districts and the latter cities will have executive vice-presidents who will be in charge of activities in their respective zones.

It is estimated here that several hundred independent and affiliated theaters will be included in the organization. Present plans call for presentation of a united front by the exhibitor groups of the industry to deal collectively with the producers, the Government and the public on all matters concerning their interests.

Will Plug "Argentine" In So. America via Air

West Coast Bureau of THE FILM DAILY

Hollywood — Twentieth Century-Fox is producing a 15-minute transcription program to be used on radio stations in Latin American countries to exploit "Down Argentine Way." Carmen Miranda will sing several of the picture's songs in Spanish and Portuguese and Don Ameche and Betty Grable will sing numbers in English.

Ill. Allied Booking Dept. Claims 100% Gain

Chicago—Booking department of Allied Theaters of Illinois is handling 100 per cent more theaters than a year ago, according to Manager Ed Mager. Department has closed deals with Paramount, RKO and Universal; negotiations with others are on.

Rodgers, Saunders Hosts to 200

Chicago—William F. Rodgers and Edward M. Saunders of M-G-M will be hosts Thursday at a luncheon at the Blackstone Hotel to 200 Chicago and Milwaukee exhibitors at an informal gathering.

Wants a Showdown On St. Louis Duals

(Continued from Page 1)

ness man to take a definite stand; that good business principles and practices demanded such a course.

"We should like, by return mail, if possible, to have you express yourself on the subject of double and triple feature programs; to tell us whether or not you are for or against such practices. Also we should like to know what your intentions are regarding such programs. Please tell us concisely and unequivocally whether or not you would join a movement to get back to the single feature program, whether you are going to continue double features, and whether or not you are going to show triple features."

'They Knew' Stays Second Week in All Pre-releases

"They Knew What They Wanted" has been held over for a second week in all its pre-release engagements, including the Radio City Music Hall New York, Chicago, Boston, San Francisco, Columbus, New Orleans and Detroit. Top grosses are reported by RKO's home office.

The Lombard-Laughton starrer was the highest grosser for a weekend at the Radio City Music Hall of any RKO Radio feature to play the house since "Gunga Din," two years ago.

GWTW May Play Two Mexico City Theaters

Mexico City (By Air Mail) — David O. Selznick's GWTW may be shown simultaneously at both of Mexico's foremost picture theaters—the Alameda, and the Iris, if negotiations between Carlos Niebla, general manager of Metro-Goldwyn-Mayer in Mexico, and Mauricio de la Serna, manager of the Alameda, and Fernando Garcia, manager of the Iris, are successful.

Meanwhile, Selznick's production of "Rebecca," which broke all records at the Alameda, where it played four weeks, established a new record for the 7,000-seat Colonial, of Oscar and Samuel Granat, by staying for two weeks.

RKO Seeks Astaire

West Coast Bureau of THE FILM DAILY
Hollywood — RKO is negotiating with Fred Astaire for "Together Again," in which it would co-star him with Ginger Rogers. Story is by Michael Kanin, a brother of Garson Kanin. Latter is set to direct it.

LaCava to Produce "U" Film

West Coast Bureau of THE FILM DAILY
Hollywood—Universal has signed regory LaCava to produce and direct its next Irene Dunne picture, as yet undetermined, but set for January production. Bruce Manning will be associate producer and work on the script.

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD

DIRECTOR Al Rogell is getting a reputation for fast traveling. No sooner had he arrived in Hollywood from Guadalajara, Mexico, where he was filming storm scenes for "Fisherman Gregory" than he planned out for Grants Pass, Oregon. He flew to join his brother, Sid, on a fishing trip.

ERIK RHODES flew to New York to begin rehearsals in "How'dya Boys," a musical, in which he will have a featured role. It will be produced by Alex Aarons.

EDDIE ALBERT is being educated by his role in "Carnival," at Warner Bros. While still taking lessons in the handling of a 12-foot bull whip, he is also receiving instructions in riding jumping horses. His instructor is Bob Howard of the Kellogg Farms.

PRESS boys and girls who made the "They Knew What They Wanted" junket to San Francisco are still singing the praises of Perry Lieber, Eddie Rubin and Lin Unkefer, who handled the numerous and various details of the trip.

REPORTING back to RKO to resume work in Harold Lloyd's production, "Three Girls And A Gob," George Murphy brought with him three dance routines, which he originated while on his vacation. The routines simplify instruction of the Rhumba, La Conga and the Zomba.

MAX TRELL flew out from New York to write the screenplay of "Thirty Boys and a Girl," which will be made by Jupiter Prods., with Irving Applebaum directing.

RENE CLAIR, noted French director, has been signed by Universal to direct his first American picture, which will be the Joe Pasternak-Marlene Dietrich picture, "The Countess of New Orleans."

VAUGHN PAUL's first assignment at Universal as an associate producer will be "Mermaid In Distress," an original B Alexander G. Kenedi, screenplay by Elaine Ryan.

ERNEST VAJDA has been signed by Samuel Bronston Productions to write the screenplay of "Martin Eden," a Jack London novel. Lloyd Bacon will direct, and production is slated to start Dec. 2.

GRANT RICHARDS, just back from New York, where he has been appearing in stage plays, has been signed by Desider Pek for the starring role in "Forty Thousand Smiths," which will be presented at the Ben Bard Playhouse the week of Oct. 22.

Frank Garcia Hurt, Wife Killed

Chicago—Mrs. Ellen Garcia, wife of the engineer of the Warner Exchange building was killed in an automobile accident. Her husband, Frank Garcia, Warner engineer, was severely injured in the crash.

DOWN ARGENTINE WAY

RECORD-BREAKING
REPORTS FROM SPOTS
THAT KEY THE NATION!

PHILADELPHIA
DOING "JESSE
JAMES" BUSINESS!

CHICAGO
NEW 20th WEEK-
END RECORD
FOR THE HOUSE!

SEATTLE
TERRIFIC! AND
BIGGER DAY AFTER
DAY AFTER DAY!

KANSAS CITY
(day-and-date)
EVERY DAY IS
HOLIDAY BUSI-
NESS!

ST. LOUIS
HOTTER THAN
ANYTHING IN
YEARS!

ALBANY
PRESSING
"ALEXANDER'S
RAGTIME BAND"
RECORD!

PORTLAND
BEATING
"KENTUCKY"
TWO TO ONE!

MILWAUKEE
(day-and-date)
TOPS
EVERYTHING!



THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 76

NEW YORK, WEDNESDAY, OCTOBER 16, 1940

TEN CENTS

KELLY HEADS UA DOMESTIC DISTRIBUTION Consent Decree Agreement Near, Court Advised

Conferees Striving to Perfect 'Fair and Speedy' Arbitration Setup, Says Hayes

Federal Judge Henry W. Goddard yesterday postponed the slated hearing on the proposed consent decree until Tuesday Oct. 22 as Government and company representatives conferred with J. Noble Braden, executive secretary of the American Arbitration Association, on the rules of arbitration.

Special Assistant Attorney General J. Stephen Doyle told the Court that the parties were "close to agreement" on the decree itself, but

(Continued on Page 4)

Tri-State Exhibs. Attack "5-Blocks"

Memphis—The Tri-State MPTO yesterday petitioned the Department of Justice to reject the blocks-of-five provision of the consent decree, thereby adding another protest by an exhibitor organization to the proposed plan of selling. Resolution was passed by more than 200 exhibitors from Arkansas, Mississippi and Tennessee attending the annual Tri-State convention.

Conclave also registered strong opposition

(Continued on Page 8)

RKO Grants No Clearance On "Power and the Land"

RKO will grant no clearance on "Power and the Land" which the company will distribute for the Rural Electrification Administration. Only priority of runs will be allowed the

(Continued on Page 4)

Don't Cut GWTW, Ask Confederate Vets

Washington Bur.—THE FILM DAILY Washington—The United Confederate Veterans and the Sons of Confederate Veterans at encampments here this week adopted resolutions urging that when GWTW goes into general release, it be sent out "in its full, original form." Resolutions will be sent both to Producer David O. Selznick and Metro.

Genius of Charles Chaplin Flames Anew As "Great Dictator" Has World Premiere

The genius of Charles Chaplin flamed anew on the screens of Broadway's Astor and Capitol Theaters last night in a picture which runs the histrionic scale from broadest slapstick to delectable satire, from brilliant pantomime to articulate dramatics, from sensitive romance to profound emotionalism.

Written, directed, played and produced by Chaplin, "The Great Dictator," given a dual world premiere before two smart audiences, is a superb example of his varied talents when they are concentrated upon the providing of sheer entertainment.

It is only natural, certainly, that first interest should center in Chaplin's departure from all pantomime for dialogue. Make no mistake about it: Chaplin can read lines, can make his voice a forceful medium. And his complete mastery of satirical mimicry extends to speech.

(For full review, turn to Page 6; for color story of dual world premiere, turn to Along the Rialto, Page 4; for full page of pictures, turn to Page 7.)

—BAHN

S-W Completes Deal For Para.'s Product

Stanley-Warner circuit of Philadelphia yesterday completed a deal for Paramount's 1940-41 program after negotiations threatened to break down because of alleged controversy over terms. However, an agreement was reached on terms and the deal was set, with no change in the basic pooling arrangement.

Reports that Paramount had started

(Continued on Page 5)

Warner Bros. Distributing Official British Short

London (By Cable)—Warner Bros. will distribute in the U. S., Canada and Latin-America the Ministry of Information short subject, "London Can Take It." This is said to be the first British Government subject to

(Continued on Page 5)

RKO Only U. S. Major Active in Amsterdam

RKO is the only American film company operating in Amsterdam, Holland, according to Max Westebbe, the company's manager in Holland, who arrived here Saturday from Europe. Westebbe is here to discuss future plans with Phil Reisman, head of the foreign department, who is due here from South America on Oct. 26.

Westebbe said that efforts were be-

(Continued on Page 5)

Screen Readers Guild Will Seek Negotiations

The Screen Readers Guild, comprised of inside and outside readers for film companies, will notify the film companies next week that they want to open negotiations for a con-

(Continued on Page 5)

No "Dictator" Terms Squawks Will Apply "for Some Time to Come"—Gold

Syracuse Exhibs. to Meet To Discuss Joining MPTO

Syracuse, N. Y.—Meeting of the Syracuse independent exhibitors has been called for tomorrow afternoon at the Hotel Syracuse by Sidney Grossman, director and secretary of the recently disbanded Syracuse unit of Allied, for discussion on possible affiliation with the MPTO of New York.

The 70-30 terms being asked domestically for "The Great Dictator" has met with no opposition, according to the UA sales department which asserts that exhibitors are clamoring for the picture.

Harry Gold, vice-president and Eastern sales head, said that the same terms will apply for all runs "for some time to come" and that a price scale of 75 cents to \$1.10 will

(Continued on Page 4)

Appointed by Silverstone; Foreign Dept. Successor To be Designated Shortly

Appointment of Arthur W. Kelly, vice-president in charge of foreign distribution for UA, and head of its

foreign department since 1924, as vice-president in charge of domestic distribution was announced last night by Murray Silverstone, chief of world-wide operations.

It was stated by Silverstone that Harry L. Gold and L. J.

(Continued on Page 5)



ARTHUR W. KELLY

Goodman, 20th-Fox Far East Head, Quits

Del Goodman, Far Eastern manager for 20th-Fox for the past 15 years, has resigned, it was announced yesterday by the company's foreign department. Goodman, who recently returned to New York from the Orient, has left for California to

(Continued on Page 4)

Arch Reeve Resigns Post As 20th-Fox Ad Manager

Resignation of Arch Reeve, advertising manager for 20th-Fox in New York City for the past six years, was announced yesterday by the com-

(Continued on Page 5)

NWMP Chi. Bow Will Require More House

Chicago—With the 5,000-seat Chicago theater sold out in the first day of the sale of tickets yesterday for the NWMP U. S. premiere here Oct. 24, it was virtually certain last night that B & K will extend the premiere to other Loop theaters.

THE Film DAILY

Vol. 78, No. 76 Wed., Oct. 16, 1940 10 Cents

JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEREAU : General Manager

CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilke, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Freedman, The Film Center, 127-133 Wardour St., W. 1. PARIS—P. A. Harle, La Cinematographie Francaise, 29 Rue Marsoulan (12). MEXICO CITY—Marco Aurelio Galindo, Depto. 215, Calle del Socialismo, 99, Tacubaya, D. F.

FINANCIAL

(Tuesday, Oct. 15)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	8 3/8	8 3/8	8 3/8	+ 1/4
Col. Picts. vtc. (2 1/2%)	5	5	5	—
Columbia Picts. pld.	—	—	—	—
Con. Fm. Ind.	—	—	—	—
Con. Fm. Ind. pld.	8 1/4	8 1/4	8 1/4	—
East. Kodak	132	131 1/2	132	—
do pld.	—	—	—	—
Gen. Tr. Eq.	11	11	11	+ 7/8
Loew's, Inc.	26	25 1/2	26	+ 1/2
do pld.	—	—	—	—
Paramount	7 3/4	7 1/4	7 3/4	+ 1/2
Paramount 1st pld.	87 1/2	87	87	+ 1/2
Paramount 2nd pld.	9 1/2	8 7/8	9 1/2	+ 3/4
Pathe Film	11 3/8	10 3/4	11 3/8	+ 1/2
RKO	2 3/8	2 1/8	2 3/8	+ 1/8
20th Century-Fox	6	5 5/8	5 7/8	+ 1/8
20th Century-Fox pld.	15 3/4	15 1/2	15 3/4	—
Univ. Pict. pld.	81	81	81	+ 1
Warner Bros.	2 1/2	2 3/8	2 1/2	—
do pld.	37	37	37	+ 1/2

NEW YORK BOND MARKET

Keith B. F. ref. 6546	103 3/4	103 3/4	—
Loew's deb. 3 1/2% 103 3/4	103 3/4	103 3/4	+ 1/8
Para. B'way 3 5/8	47	47	+ 1/4
Para. Picts. 6555	—	—	—
Para. Picts. cv. 3 1/4 91 3/4	91 3/4	91 3/4	+ 3/8
Warner Bros. db. 6 1/8 85 1/2	85 1/2	85 1/2	+ 1/4

NEW YORK CURB MARKET

Monogram Picts.	—	—	—
Sonotone Corp.	—	—	—
Technicolor	7 1/8	7 1/8	—
Trans-Lux	—	—	—
Universal Corp. vtc.	3 1/8	3 1/8	—
Universal Picts.	—	—	—

Robert Menches III

Akron, O.—Robert Menches, owner of the Liberty Theater, is at St. Thomas' Hospital, under observation.

Bonded Film Storage Corp.

LOWEST RATES
TWOX A DAY
DELIVERY SERVICE
STORAGE C.A. PRODUCTION ROOM FILM EXCHANGE DISTRIBUTION SERVICE
1000 BROADWAY N.Y.C.
CHIC 6-0081-2-3-4

Music Hall's Head Holds Reception for Laughton

W. G. Van Schmus, managing director of the Radio City Music Hall, yesterday hosted a cocktail reception to Charles Laughton and Elsa Lanchester in the theater's studio apartment.

Among those present were Ned E. Depinet, L. Laurence Green, Gus Eysell, S. Barret McCormick, Jack Allicoate, J. J. O'Connor, Garson Kanin, Andy Smith, Don Mersereau, Rutgers Neilson, Fred Lynch, William Mallard, Gordon Youngman, Cresson Smith, Fred Pasley, Alice Hughes, Jimmy Boyle, Henry Michelson, William Clark, Robert Hawkinson, Irving Shiffrin, Keelsey Allen, Wanda Hale, Tom Wenning, Frederick James Smith, Ken and Mrs. McCaleb, Leo Mishkin, Al and Mrs. Steen, John Farmer and Bill Boehnel.

Laughton's latest picture, "They Knew What They Wanted," is current at the Music Hall.

Wilmington Stockholder Suit vs. Loew's Deferred

Wilmington, Del.—By agreement of counsel, stockholder's suit brought by Arnold Herrman against Loew's, Inc., which was scheduled for hearing yesterday morning in the New Castle County Chancery Court here has been continued. Date for the hearing will be set later.

Herrman filed suit on Feb. 28, 1939 charging the directors and executives with conspiracy and fraud in the formation of Twentieth Century Pictures, Inc., now Twentieth Century-Fox Film Corp., at the expense of Loew stockholders. Plaintiff asked preliminary injunction restraining defendants from disposing of stock of Twentieth Century until further notice of the Chancellor, and that a writ of sequestration be issued sequestering and seizing all stock of Loew's, Inc., until further determination of the suit.

Para. Buys More Air Time To Plug "World in Flames"

Paramount, yesterday bought additional air time for plugs for its newsreel feature, "World in Flames," deal having been closed by Buchanan & Co., Para. agency, for almost the entire Mutual network for a 15-minute program exploiting the film. Approximately 150 MBS outlets will be utilized.

A. M. Goodman. UA Branch Head, Suffers Heart Attack

Cleveland.—A. M. Goodman, United Artists branch manager, stricken while playing golf at the Manikiki Golf Club, was rushed to Lakeside Hospital where his illness was diagnosed as a heart attack. He is now at his home where he will be confined for a rest of several months.

William Peterson Dead

Brentwood, Calif.—William Peterson, 55, operator of the Delta Theater, died of a heart attack.

Will Appeal N. Y. Censor Ban on French Feature

Appeal to the New York State Board of Regents will be made by Foreign Films, Inc., within the next two weeks for a reversal of the New York Censor's ban on the French film "Have You Nothing To Declare?" being distributed here by Foreign Films. Company will also hold private screenings of the picture for critics and review boards to get a compilation of opinions to present to the Regents. Picture was termed indecent nader immoral by the Censor Board.

Argentina Imports Of U. S. Pix Jumps

Buenos Aires (By Air Mail)—During the first seven months of 1940 Argentina showed 204 American pictures, an increase of 27 over the same months of 1939.

Argentine pictures for the same period dropped three to 31; French dropped two to 22; Mexican increased from two to four; British dropped from 10 to three; German from five to two, and Spanish from six to one.

Film Workers Register Under Draft Law Today

In company with tens of thousands of others of draft age, industry workers will register today for possible military service. General company practice is to give employees time off to do so if it is impossible for them to do so before or after office hours.

Theater Drive to Mark Balaban's Anniversary

Chicago—A drive for greater theater attendance will be launched by Paramount's affiliated theaters in the central territory shortly as a way to celebrate the fifth anniversary of Barney Balaban's presidency of Paramount. Plans for the celebration are now in work.

Rodgers Off for Coast On Regular Studio Visit

W. F. Rodgers, M-G-M general sales manager, leaves today for the Coast for his regular studio visit. Rodgers plans to look at completed and partially-completed product and discuss future pictures with studio officials.

Off for NWMP Regina Bow

West Coast Bureau of THE FILM DAILY

Hollywood — Madeleine Carroll, Preston Foster, Robert Preston and Lynne Overman trained out last night, headed for the Regina premiere of NWMP. Stops will be made at Sacramento, Klamath Falls, Portland, Seattle, Bellingham, Vancouver, Banff, Calgary.

COMING and GOING

W. F. RODGERS, Metro sales chief, leaves today for the Coast.

EMANUEL SILVERSTONE, New York sales representative for Alexander Dora, leaves tonight to attend the "showmen's preview" tomorrow in Cleveland of Korda's production, "The Thief of Bagdad." Silverstone will also attend a similar preview in Buffalo on Friday.

SAMUEL BRONSTON arrived in New York yesterday from the Coast.

JAMES ROOSEVELT is expected here this week-end from Hollywood.

DEL GOODMAN has returned to California after a stay in New York of several weeks.

CHARLES LAUGHTON left last night for a p.a. swing through the Midwest.

MARK HELLINGER, associate producer for Warner, and his wife, GLADYS GLAD, arrive from the Coast today on the Manhattan.

MARION HELLER KOHN, former studio manager of Columbia, and MRS. KOHN, also arrive on the Manhattan.

MAXWELL WESTESBEE, RKO foreign exec., is at the Warwick.

JOE PENNER and his wife are at the Waldorf Towers.

PEGGY DIGGINS has returned to the Coast following a brief New York vacation.

"RED" SKELTON is due here from the Coast as soon as he completes a role in "Flight Command" for Metro.

Jos. Lightstone, Montreal Theater Operator, Dead

Montreal—Joseph Lightstone, 50, head of Variety Amusements, operating the Orpheum and Mayfair Theaters, and a brother of Mme. Pauline Donalda, internationally famous diva, collapsed and died of a heart attack in the Mount Royal Hotel where he lived, yesterday. Lightstone had worked actively right along, and was at his office Monday. For the past 15 years, he had been connected with different Montreal theaters. Before going to the Orpheum he was general manager of the Princess Theater.

He is survived by his wife and a son, Owen.

Tugboat Annie Day Set

Tacoma, Wash. — Flotilla of approximately 800 ships of every variety will participate in Tugboat Annie Day program, feature of the world premiere here Friday of Warner's "Tugboat Annie Sails Again." Marjorie Rameau, Alan Hale, Ronald Reagan and Donald Crisp are coming on.

"Happy Birthday to You"



From THE FILM DAILY to Harry Rapf Molly O'Day Al G. Ruben Rex Bell Lloyd Corrigan Frank D. Ormston



tigress!

Again she is excitingly, magnificently herself... a Dietrich sinbound to hold men spellbound... in a story of men maddened to passionate outburst!

UNIVERSAL PRESENTS



MARLENE DIETRICH SEVEN SINNERS JOHN WAYNE

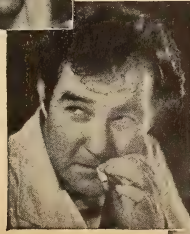
another
Joe Pasternak
Triumph!

with ALBERT DEKKER • BRODERICK CRAWFORD
MISCHA AUER • BILLY GILBERT • ANNA LEE
SAMUEL S. HINDS and OSCAR HOMOLKA.

Directed by TAY GARNETT

A JOE PASTERNAK
PRODUCTION

NATIONAL RELEASE OCT. 25th



Agreement Said Near On Decree Changes

(Continued from Page 1)

that the delay was caused by the negotiators "endeavoring to reach an agreement on certain collateral matters."

Government sources later intimated that collateral matters causing the postponement were the questions raised as to the Government attitude towards adjustment of other anti-trust suits pending and the difficulties in drafting satisfactory arbitration rules.

Special Assistant Attorney General James Hayes stressed efforts on the part of the conferees to draft "a fair and speedy machinery" to insure exhibitors adjudication of their complaints. While Hayes would not predict whether the decree and rules would be ready on next Tuesday, he stated that there was a "good possibility" of their completion.

Meanwhile, a number of completed sections of the decree are now being studied by both Attorney General Robert Jackson and Assistant Attorney General Thurman W. Arnold. Their decision will not be announced until they have before them the entire decree.

RKO Grants No Clearance On "Power and the Land"

(Continued from Page 1)

important first-run theaters so that the subject can be played off in each branch territory in the least possible time.

Distribution is to be on the same basis as any other except that it will be supplied gratis. RKO's rights to the picture terminate on Sept. 30, 1941.

WEDDING BELLS

Tulsa, Okla.—Ralph Drury, manager of the Ritz, operated by Ralph Talbot Theaters, has announced his approaching marriage to Gwynn Higgins of Tulsa.

Baltimore, Md.—Gilbert Kanour, motion picture critic of the Evening Sun, will marry Mildred M. Marshall today.

Oklahoma City — Jane Hummel, Columbia billing clerk, was married Oct. 12 to Fowler Dickens, bookkeeper for the O. K. Motor Express Co., at El Reno.

Oklahoma City—Fred Lawrence, Republic booker and office manager, was married to Wilma Dawson of Little Rock, Ark.

Cleveland—Saide Meckler of the M-G-M office force has announced her engagement to Fred Wolff of this city. The wedding will take place some time next Spring.



● ● ● GIANT electric signs blinked last night.....the name of the big little man.....symbolized in the hearts and minds of millions.....by the derby, cane and raggedy shoes.....that big little man who has been all too long away.....from the screen whereon.....he is King of Comedy.....But last night he came back to the public.....he has taught to smile.....in the long and happy course.....of more than two decades.....He not only returned in the dual role of person and shadow.....but in his newest vehicle....."The Great Dictator".....in the dual role of the poor, shy barber.....and the grandiose, power-glutted leader of the double-cross.....

● ● ● HAD the aerial legions.....of the despot he satirically personified.....been droning in threatening echelon over the towering turrets of Manhattan.....no brighter beams could have swept the skies above the Great White Way.....than bathed the facades of both the Capitol and Astor Theaters.....at both of which the premiere performances were held.....Perhaps the greatest tribute to the big little man.....was not the glamour of the double-event.....nor the attending glitter.....but the fact that while a literal army of invited celebrities.....pressed impatiently into the theaters' respective portals.....a phalanx of police.....had to keep the surrounding mobs in check.....Because of their eagerness to see the notables?.....Not at all.....—but to hold the mobs from o'er-flooding the lobbies.....to buy tickets for "The Great Dictator".....weeks in advance!.....

● ● ● YES, last night was Charlie Chaplin night in America's metropolis.....All through the Roaring Forties and Fractious Fifties.....he and his picture dominated conversation.....just as they both had done for month upon month in the entire film industry.....from coast to coast.....It is not at all surprising then.....that there was an air of restlessness.....in thousands of breasts yesterday.....as the afternoon waned and evening waxed.....The most sophisticated of First Nighters.....drew little envelopes from pockets and purses.....and gloatingly fondled their tickets for the eventful event.....Few openings in the long and colorful history of show-business.....whetted the appetite like this one.....

● ● ● UNDER the rays of the brilliant sunlight arcs.....passed in the pageantry of formal garb.....Will H. Hays, Charles Chaplin, Paulette Goddard, Jack Oakie, H. M. Warner, Jack Warner, Maj. Albert Warner, Murray Silverstone, Nicholas M. Schenck.....Barney Balaban, Jack Cohn, J. Cheever Cowdin, Postmaster-General Frank C. Walker, Stanton Griggs, W. G. Van Schmus, Ned E. Depinet.....Henry Luce, Roy Larsen, David Sarnoff, Mayor Fiorello H. LaGuardia, Joseph M. Proskauer.....Fannie Hurst, H. G. Wells, Franklin D. Roosevelt, Jr., Walter Wanger, Joan Bennett, John Hay Whitney, Jack Allicote, Senator Robert Wagner.....Douglas Fairbanks, Jr., W. Somerset Maugham, Elsa Maxwell, Marshall Field, Mrs. Joseph P. Kennedy, Spyros Skouras.....Jules Brulatour, Sir William Wiseman, Nate Blumberg, Irving Berlin, Herbert Bayard Swope, Harry D. Buckley, James Mulvey, Arthur W. Kelly.....Paul Block, Jules Levy, Sam Dembow, Sol Rosenblatt, Lynn Farnol, Merlin H. Aylesworth, L. J. Schlaifer, Harry Gold, George Vanderbilt, Monroe Greenhalt, Dorothy Thompson, Winthrop Rockefeller.....Oh, what's the use goin' on.....—Hynkel hasn't conquered the world.....but Chaplin has!.....

"Dictator" Terms Evoke No Squawks

(Continued from Page 1)

be required on all first-run bookings.

Circuit deals set on the picture include Fox West Coast, Warner Bros. Mort Shear, Loew's and B & K. Picture opens in Philadelphia on Oct. 23; Pittsburgh, Oct. 25; Buffalo and Chicago, Oct. 31.

Del Goodman, 20th-Fox Far East Head, Resigns

(Continued from Page 1)

take a vacation with his family. He is expected to announce a new affiliation shortly.

Griffith Will Reopen Tulsa's Circle Oct. 22

Oklahoma City, Okla.—The Circle in Tulsa, operated by Griffith Southwestern Theaters, Inc., will reopen Oct. 22 after remodeling to increasing seating capacity by 200 to 850.

The Main St. Theater in Tulsa operated by the same company will be moved across the street from its present location into a 1,000-seat house which will be finished Feb. 1.

Wilby-Kinney Will Build New Spartanburg House

Spartanburg, S. C.—Construction work on Spartanburg's fourth film theater will get under way at an early date, according to officials of the Wilby-Kinney organization. The Carolina Amusement Co. will operate the new house, which will be located at the corner of Main and S. Liberty St.

IA and Namm In Pact

West Coast Bureau of THE FILM DAILY

Hollywood—IATSE has signed a contract with George Namm circuit covering seven theaters in and around Eureka. It is expected that Namm will also sign pacts covering the rest of the circuit, with some 36 houses in all involved.

"Escape" First in Poli Spots

"Escape," Norma Shearer-Robert Taylor starrer, will have its first key city showings Oct. 31, M-G-M announced yesterday. Film will open at the Poli Theaters in Springfield, Hartford and New Haven.

STORKS!

Oklahoma City—Howard Nicholson, Paramount salesman here, is the father of a son, who has been named Junior.

Waynesburg, O.—Ralph Bevington, owner of the Wayne theater, is the father of a new daughter, Sue Carroll.

S-W Completes Deal For Para.'s Product

(Continued from Page 1)

ed to sell away from S-W were denied by Neil Agnew, general sales manager, who said some independent deals had been talked but none consummated.

RKO is Only U. S. Major Active in Amsterdam

(Continued from Page 1)

ing made to restore business to normal following the German invasion. He remained in Holland during the entire entry by the German army.

"Rockne" Ballyhoo Boon To South Bend Business

South Bend, Ind.—Warners' bally for the premiere of "Knute Rockne—All American" here is credited with boosting bank clearings for Oct. 4-7 to \$1,088,303, far above normal.

Expenditures by an estimated 65,000 visitors to South Bend approximated \$6.73 per capita. Business for local residents approximated \$3.61 per capita above average, and a total increase in business of \$813,000 was approximated.

The post office carried the largest load of outgoing mail in its history, and wire services sent out a total of 142,000 words bearing on the premiere activities alone.

Says Church Attendance Not Hit by Sunday Shows

Harrisburg, Pa.—C. Floyd Hopkins, Harrisburg representative for Wilmer & Vincent, in his capacity as chairman of a group of local theatermen organized in a campaign to have Sunday movies approved at the November election, has made public a letter by the Rev. Dr. Homer A. Flint, executive secretary to the Episcopal Diocese of Pittsburgh, stating that five years of Sunday movies there have had no appreciable effect upon church attendance.

20th-Fox Casting "Valley"

West Coast Bureau of THE FILM DAILY

Hollywood—The first casting assignment for the forthcoming production of "How Green Was My Valley" was made yesterday by Twentieth Century-Fox when it was announced that Sara Allgood will play the mother. Film starts production in December with William Wyler directing under the associate producership of Kenneth Macgowan.

Just Like Mounties

Chicago—Swank pump room of Chicago's Ambassador Hotel has concocted a NWMP cocktail to mark the U. S. premiere of De Mille's pix here Oct. 24. Sign in the pump room reads: "North West Mounted Police Cocktail; One Drink and You Get Your Man." No recipe available, but it's a very tall drink, red in color.

Army Theaters Won't Get Films Until Cleared by Exhibs. in Camp Communities

Washington Bureau of THE FILM DAILY

Washington—Army post and cantonment theaters will operate under agreement with local exhibs. in each community that no films will be shown until they are cleared by the latter, according to a spokesman for the Morale Division of the U. S. Army. "We don't deprive the exhibitor of any money," it was stated. "We avoid competition with the exhibitors as it is not fair for us to cater to business he might get otherwise."

Warner Bros. Distributing Official British Short

(Continued from Page 1)

be handled by an American major company.

Quentin Reynolds of Colliers does the commentary for the picture which was previewed here Monday. Film shows Londoners going about their daily lives until the sirens scream and the crowds rush for shelter; there are scenes within the shelters as the raids go on and finally the emergence of the people and the inspection of the damage.

Film was produced by the General Postoffice film unit.

Screen Readers' Guild Will Seek Negotiations

(Continued from Page 1)

tract. Guild will have a meeting this Friday to set minimum wage standards. Guild has about 42 members out of a total of approximately 55 readers in New York.

MP Associates in Drive To Add Execs. as Members

Motion Picture Associates will conduct a membership drive among the industry's executive personnel. Prexy Jack Ellis has named a special membership committee embracing David Levey, Universal; Moe Streimer, UA, and Joe Lee, 20th-Fox. Report is due Friday at a luncheon meeting at Toots Shor's restaurant.

Proposal for affiliation with the National Variety Clubs has been tabled pending receipt of additional information from the latter's Chief Barker, John H. Harris, of Pittsburgh.

Ed Fitzpatrick Wins Second Metro Honor Roll Button

Second exhibitor to win the M-G-M honor roll button for outstanding campaigns on Metro pictures is Ed Fitzpatrick, manager of Loew's Poli Theater, Waterbury, Conn. Fitzpatrick's award followed his campaign on "Strike Up the Band." First recipient of such a prize was Charles Taylor, advertising and publicity director of Shea's Great Lakes Theater, Buffalo, for "Boom Town."

Kanin to Lecture at N. Y. U.

Garson Kanin, RKO director, will lecture before the New York University class on "The Motion Picture" at the School of Education auditorium, 41 W. Fourth St., at 8:15 p.m. tomorrow night. Prof. Frederic M. Thrasher will preside.

Kelly to Head UA Distribution Here

(Continued from Page 1)

Schlaifer, company vice-presidents, would continue as heretofore in charge of East and West, respectively, under Kelly's direction.

Designation of the new domestic distribution head, Silverstone pointed out, was in line with UA's policy of promotion within the organization.

Silverstone added that there had been no change whatsoever in the status of Harry D. Buckley, vice-president of the company, who will continue to function in the same executive capacity as heretofore.

It was further announced by Silverstone that the successor to Kelly, in the Foreign Department, is now under consideration and an appointment will shortly be made.

Kelly, a native of England, where he was educated and started in show business, came to the U. S. to represent the Frank J. Gould enterprises. His career was interrupted by military service during the first World War when he served first with the British tank corps and later with the A.E.F.

Returning here after the war he joined UA as treasurer and subsequently was elected vice-president.

A ★ M ★ P ★ A

presents a triple star program at its regular luncheon meeting. Come one, come all!

THURSDAY, OCTOBER 17
HOTEL EDISON



HARRY BRANDT

Speaker of
THE DAY

President, Independent Theatre Owners Association



JOE E. BROWN

"ELMER
THE GREAT"

He'll tell who won the "World's Serious"



GARSON KANIN

HIT
MAKER

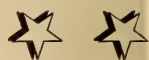
Explaining How They Knew What They Wanted

We Start Serving at 12:45 Sharp—Please Be Prompt

Members—\$1.00. Guests \$1.25
Including Gratuities



REVIEWS OF THE NEW FILMS



"A Little Bit of Heaven"

with Gloria Jean

Universal 87 Mins.
GRAND FAMILY ENTERTAINMENT;
FILM SHOULD DO GOOD BUSINESS IN
ALL SPOTS.

This is the type of film that will please all kinds of audiences. The appeal of little Gloria Jean, plus the comedy of Billy Gilbert, Hugh Herbert, Stuart Erwin and Frank Jenks, and a swell characterization by C. Aubrey Smith, are enough to put it over in any house.

Gloria Jean does a nice job throughout, singing several numbers including "A Little Bit of Heaven," "After Every Rainstorm," "What Did We Learn at School" and the impressive finale number "Dawn of Love." Outstanding comedy work is contributed by Billy Gilbert, working with Butch and Buddy, while C. Aubrey Smith is excellent as Grandpa, the dominating head of the family. Nan Grey and Robert Stark handle the incidental love story. Old timers will be glad of the glimpses of some silent picture stars playing Gloria's various uncles.

The story is simple enough but Producer Joe Pasternak has poured into the picture about all the sure-fire situations it can hold. Many of the characters from Gloria's earlier film, "The Under-Pup" have been carried over. Locale is New York's East Side where Gloria and her extensive family live until she crashes a sidewalk radio program and is signed for the big time. Success goes to the heads of the immediate family and they attempt to drop Gloria's favorite uncles. The little girl brings them back to earth when she fakes loss of voice and they all go back to the old neighborhood until she stages a concert comeback.

CAST: Gloria Jean, Robert Stark, Hugh Herbert, C. Aubrey Smith, Stuart Erwin, Nan Grey, Eugene Pallette, Butch & Buddy, Billy Gilbert, Nana Bryant, Tommy Bond, and Gloria's uncles: Frank Jenks, Noah Kelsey, Maurice Costello, Charles Ray, Fred Kelsey, Monte Blue, Tom Dugan, William Desmond, Edgar Deering, Kenneth Harlan, Pat O'Malley, David Oliver.

CREDITS: Producer, Joe Pasternak; Director, Andrew Marton; Author, Grover Jones; Screenplay, Daniel Taradash, Gertrude Purcell, Harold Goldman; Cameraman, John Seitz; Editor, Laslo Benedek; Musical Director, Charles Previn; Art Director, Jack Otterson.

DIRECTION, Fine. PHOTOGRAPHY, Good.

Cuban Critics Organize With Chane as President

Havana (By Air Mail)—Emilio Castro Chane of Informacion, was named president of the newly organized Federation of Theater, Motion Picture and Radio Writers of Newspapers and Magazines. The Federation will select the three best pictures exhibited during this year.

WB Buys "City for Glamour"

West Coast Bureau of THE FILM DAILY
Hollywood — Warner Bros. has bought screen rights to Aben Kandel's story, "City for Glamour." It is a story of Hollywood.

"The Great Dictator"

with Charles Chaplin, Paulette Goddard, Jack Oakie

United Artists-Chaplin

129 Minutes

GENIUS OF CHAPLIN FLAMES ANEW IN TELLING SATIRICAL THRUST AT DICTATORS; STAR IN SUPERB DEMONSTRATION OF HIS VARIED TALENTS.

The genius of Charles Chaplin flamed anew on the screens of Broadway's Astor and Capitol theaters last night in a picture which runs the histrionic scale from broadest slapstick to deftest satire, from brilliant pantomime to articulate dramatics, from sensitive romance to profound emotionalism.

Written, directed, played and produced by Chaplin, "The Great Dictator," given a dual world premiere before two smart audiences, is a superb example of his varied talents when they are concentrated upon the providing of sheer entertainment. Whether it is as effective, and will so establish at the box-office, in the presentation of the message which closes the story is another question. The times, the world's showmen and the film-going public together alone hold and alone will provide the answer.

It is only natural, certainly, that first interest should center in Chaplin's departure from all-pantomime for dialogue. Make no mistake about it. Chaplin can read lines, can make his voice a forceful medium. And his complete mastery of satirical mimicry extends to speech; in those scenes in which Hynkel, Dictator of Tomania, addresses the legions of the Double Cross, the oratorical outbursts are those that, in days past, have come from Europe by short wave.

There is honest dramatic fire, too, in Chaplin's delivery of his message, a sincere plea for the realization of what has best been described as the Brotherhood of Man. No, there is nothing wrong with that moving message; the world needs it today as perhaps never before, and perhaps Chaplin is the one to press it home. Yet there is the patent fact that the transition from comedy to message is so abrupt that it jolts; acceptance or rejection will rest with the individual, not with the mass.

Chaplin's story spans the period between two World Wars, a period when reason has fled, insanity rules. Essentially it is a story of contrasts, of people of the Palace and of people of the Ghetto, of strong tyrants and of the humble weak. Countries and personalities are masked, but the masquerade is done with tongue-in-cheek, something the picture's explanatory warning that any resemblance which the Dictator may bear to the Barber is purely co-incidental slyly points up.

Opening sequences concern the last days of the first World War. The little Jewish barber (Chaplin) is a private in the artillery, his company assigned to a Big Bertha for its test against the enemy. The target is the distant Cathedral of Notre Dame. Comes the big moment: Chaplin pulls the firing cord, the giant shell soars heavenward, drops and shatters a none-too-distant outhouse.

As the action continues after a procession of gags, Chaplin finds himself piloting Reginald Gardiner, a wounded aviator bearing highly important papers. The inevitable crash as the war ends sees both survive, Chaplin, his memory gone, to become a hospital patient for a period of years, Gardiner to rise with Dictator Hynkel (Chaplin's dual role) as a Commander of Storm Troopers.

Their paths finally cross again, and this time it is Gardiner who saves Chaplin, since returned to his shop, from the ministrations of Storm Troopers and throws a protective mantle around the little barber, Hannah, (Paulette Goddard) his house maid friend, and their little circle in the Ghetto. It lasts until Gardiner, refusing to carry out the Dictator's orders for an anti-Jewish reign of terror, finds himself and the barber as well in a concentration camp.

Meanwhile, the story concentrates upon the Dictator's plans for the conquest of Osterlich and the impasse produced by the moves of Napoleon, Dictator of Bacteria. It is a rich part, the latter, and played to the hilt by Jack Oakie. Their epochal conference is a riot of slapstick, and provides one of the picture's bellylaughs. Grace Hayle as Mme. Napoleon and Carter de Haven as the Bacterian Ambassador contribute their stunts, as do Billy Gilbert as the be-uniformed Marshal Herring and Henry Daniell as scheming Propaganda Minister Garbitsch.

From that point, the story moves swiftly to a conclusion. The Dictator on the eve of the Osterlich invasion goes duck hunting, tips over, is taken into custody as the escaped barber, while the barber is accepted as Hynkel, leads the invading legions and then faces the mikes to denounce everything that the Double Cross has stood for and fervently plead humanity's cause. Heard over a radio, it is a message of hope for Hannah and the Ghetto's refugees.

Such is the story which Chaplin has woven dexterously, and plausibly. It is highlighted with flashes of supreme fun, and those bars which Chaplin has flung at totalitarianism all have found their marks. In this respect, a doff of the lid especially to Chaplin's bubble dance. Outstanding, too, is that scene in which the barber and four others in the Ghetto are to decide by lot who is to blow up the Palace. The lottery embraces five puddings, only one of which presumably has a fatal coin. But space and press time presses; sufficient to say that Chaplin's gags and bits of business never let you down. There just could be more of them.

Technically, "The Great Dictator" rates with the best. Direction is astute, Dan James, Wheeler Dryden and Bob Meltzer ably following Chaplin's lead. Photography

(Continued on Page 8)

★ SHORTS ★

"Eyes of the Navy"

M-G-M Magnificent Two-Reeler 22 mins.

As interesting and inspiring a short as is likely to be offered all season on the vital subject of national defense is this fine two-reeler recounting the training of American youth to serve the air arm of the U. S. Navy. Filmed chiefly at Pensacola and San Diego, it depicts the equipment and regimen prevailing in the transition of the recruit from raw pilot material to the highly skillful and co-ordinated finished-product upon whose shoulders will rest the preservation of democracy if our way of life is threatened by a hostile foreign power or any combination thereof.

Citizens in all sections of the land will breathe easier after seeing the footage because of the enlightening content. There are stirring views ranging from ground instruction to maneuvers of whole squadrons with the great battlewagons of the Atlantic and Pacific fleets. Especially impressive are the scenes of formation flying; aerial target practice; dive bombing (which for 10 years has been a specialty of the Navys airmen); take-offs from carriers and ships of the line, both via deck-runways and catapults; and the highly effective dropping of "eggs" upon enemy units. Unusual camera shots are the rule rather than the exception.

Frank Whitbeck's narration is crisp and efficient, and the direction of Basil Wrangell from a solid script by Heman Hoffman is excellent. Roy Brickner's editing results in swift pace throughout, while the music score adds emotional zest. Exhibitors everywhere will do well by themselves, their patrons and their country to book this subject. It is of such things as patriotism is built on.

Audiences will love it, and it will be a clarion call to the wholesome youth of the land to cast their lot with Uncle Sam's magnificent "sky-sailors."

Compulsory Exhibition of Mexican Product in Exit

Mexico City (By Air Mail)—Law requiring Mexican theaters to play at least one domestic feature monthly has done a fade-out.

Metro Signs Jackie Cooper

West Coast Bureau of THE FILM DAILY
Hollywood — Metro has signed Jackie Cooper for second picture, "Ziegfeld Girl," to follow "Gallant Sons." In "Ziegfeld Girl" he will play opposite Judy Garland. He has been absent from films for four years.

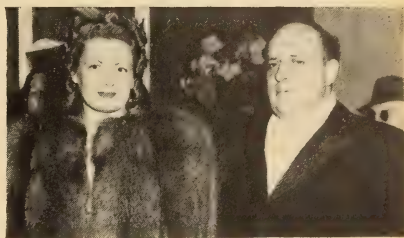
Filmdom's Greats Greet "The Great Dictator"



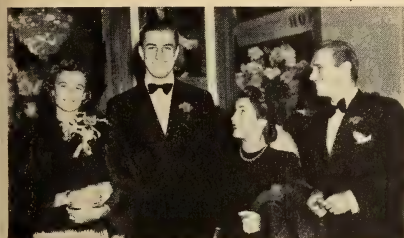
H. M. and Albert Warner and their wives.



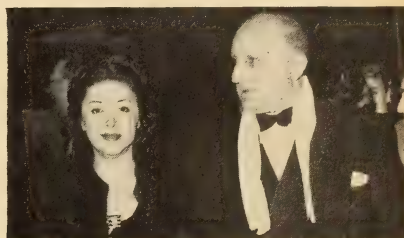
The Stars See Themselves:
Charles Chaplin and Paulette Goddard.



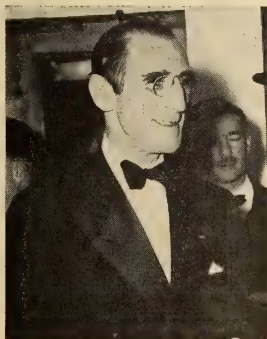
Murray Silverstone, UA's head, and Mrs. Silverstone.



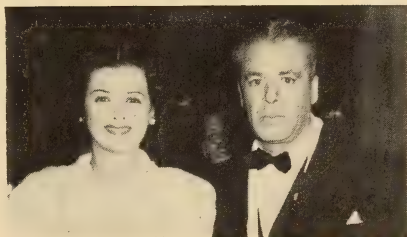
Left: The Franklin D. Roosevelt, Jr.'s, and
the Douglas Fairbanks, Jr.'s.



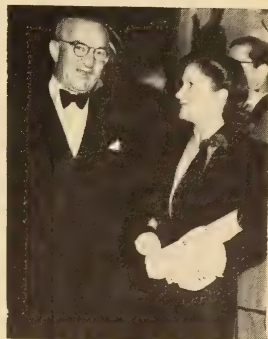
Right: Barney Balaban, Paramount's presi-
dent, and Mrs. Balaban.



J. Cheever Cowdin, chairman of
Universal's Board.



Joan Bennett and Walter Wanger.



Nicholas M. Schenck, president of Loew's,
and Mrs. Schenck.



Left: Herbert J. Yates, CFI president, and
Mrs. Yates.



Right: Adolph Zukor and Mrs. Zukor.

Tri-State Exhibs. Ask Dropping of 5-Pix Plan

Memphis Convention Hits Consent Decree; Opposes Admission Price Boosts

(Continued from Page 1)

position to a general increase of admission prices.

Ed Kuykendall, MPTOA president, reiterating previous sentiments, said that if the five-picture plan becomes effective, "turmoil is inevitable." The resolution declared that the consent decree "does not solve our problem" and that the blocks-of-five system would be an added burden.

Y. Frank Freeman, vice-president in charge of Paramount product, who attended the meeting said that fewer pictures would be made in the future because the economic situation "leaves us no choice," but promised exhibitors "there will be no reduction in quality."

R. X. Williams, Mayor of Oxford, Miss., was re-elected president. Other officers are: R. B. Cox of Batesville, Miss., vice-president; L. F. Haven of Forest City, Ark., vice-president; W. F. Ruffin of Covington, Tenn., vice-president; W. S. Tyson of Water Valley, Miss., secretary-treasurer; M. A. Lightman, chairman of the board.

Members of the board are: W. L. Landers, Batesville, Ark.; K. K. King, Searcy, Ark.; O. W. McCutcheon, Blytheville, Ark.; O. P. Wrenn, Little Rock, Ark.; M. S. McCord, Little Rock, Ark.; Sidney Wharton, Warren, Ark.; A. Rush, Houston, Miss.; W. S. Taylor, Leland, Miss.; Grady Cook, Pontotoc, Miss.; Dave Flexer, Howard, Miss.; J. A. West, Memphis.

Lightman and his more than 60 theater managers held a company meeting yesterday, following close of the convention.

Sunday Movies Defeated

Murfreesboro, Tenn.—Sunday movies have been defeated here by a 440 to 226 vote after the city council had passed an ordinance on first reading permitting them. However, the city constitution will permit another election in six months. The poll tax requirement held the vote to less than one-third of the full voting strength to which is attributed defeat of the proposal.

Added Duties for Sternberg

Boston—Robert Sternberg, supervisor of M & P downtown Boston theaters for more than 12 years, now adds duties as district manager of M & P houses in the territory, succeeding "Hy" Fine. Fine has left for Miami where he is in charge of Lynch Paramount houses.

Col. Re-signs Ann Doran

Hollywood—Ann Doran, who was dropped from Columbia's contract players last year, has been re-signed by the studio and cast for the second feminine lead in "Penny Serenade."

Navy's Amphibians Transport Trade Press For Metro's Preview of "Eyes of the Navy"

Metro unveiled its new two-reeler "Eyes of the Navy," at a special press preview held yesterday afternoon, at Floyd Bennett Field. In fact, the occasion was super-special for the trade scribes, et al were driven by auto to the Battery and whisked to the flying field via amphibian planes of the Navy and the old reliable Coast Guard.

Commander Rice was the official host at the buffet luncheon and film's debut assisted by Lieut. Commander Al Rice, U.S.N.R., and Lieut. Freeman Cutler. Arthur DeBra of the Hays office spoke as a prelude to the showing expressing the gratitude of Metro for the co-operation extended in the film's making to the U. S. Navy Dept. Preview was staged by Si Seadler and Herb Morgan.

"The Great Dictator"

(Continued from Page 6)

by Karl Struss and Roland Totheroh is excellent, so too, the art direction of J. Russell Spencer.

Supporting performances are competent or better. Miss Goddard meets every demand of Hannah, and you particularly are urged to observe her work in the concluding footage. Character roles are well filled by Maurice Moscovitch, Emma Dunn, Bernard Gorcey, Paul Weigel, Chester Conklin, Esther Michelson, Hank Mann, Florence Wright, Eddie Gribbon, Robert O. Davis, Eddie Dunn, Nita Pike and Peter Lynn.

Finally, and personally, now what we'd like to see is a Chaplin re-make of "Shoulder Arms."

CAST: Charles Chaplin, Paulette Goddard, Jack Oakie, Reginald Gardiner, Henry Daniell, Billy Gilbert, Grace Hayle, Carter de Haven, Maurice Moscovitch, Emma Dunn, Bernard Gorcey, Paul Weigel, Chester Conklin, Esther Michelson, Hank Mann, Florence Wright, Eddie Gribbon, Robert O. Davis, Eddie Dunn, Nita Pike, Peter Lynn.

CREDITS: Producer, Director, Author, Charles Chaplin; Assistant Directors, Dan James, Wheeler Dryden, Bob Meltzer; Directors of Photography, Karl Struss, Roland Totheroh; Art Director, J. Russell Spencer; Sound, Percy Townsend, Glenn Rominger; Film Editor, Willard Nico.

DIRECTION, Astute. PHOTOGRAPHY, Excellent.

Biz Good In Chicago Loop; P.A.'s and Orks Help B.O. Maiselles Magazine Asks Petain Admit U. S. Films

Chicago — Edmund Lowe, Ann Dvorak and Carole Landis are making p.a.'s this week at the B & K State Lake theater. Jimmy Dorsey and his ork are headlining the Chicago theater stage show, while at the J-L-S Oriental theater, Uncle Walter's Dog House with Uncle Walter and Virginia Verrill are headlining the stage show. At the Warner Stratford theater, Anson Weeks and his ork are making a personal appearance. Business is good in the Loop theaters.

B & K Form Supply Corp.

Chicago—Balaban & Katz have organized the B & K Supply Corp. with offices at 175 N. State St., and a capital of \$25,000 to buy supplies for the big circuit. Elmer Upton, controller, J. M. Abraham, Budget-Director and E. Trunk are the incorporators.

Extra Operators for "Dictator"

Chicago—When "The Great Dictator" opens at the B & K Apollo and Roosevelt theaters, this month, four additional operators will be required, according to the operators union officials.

"U" Buys "Mermaid in Distress"

Hollywood — Universal has purchased a comedy by Alexander G. Kenedi titled "Mermaid in Distress" and assigned Elaine Ryan to prepare the screenplay.

Vichy (By Air Mail)—The Petain government has okayed the publication in Marseilles of La Revue de L'erai, which covers films. Magazine is edited by A. de Masini, who, in a recent editorial urges the Petain government to permit the exhibition of American films in occupied France. De Masini concedes that supervision may be necessary, but warns that if France expects to market its films in the U. S., it cannot bar American product.

Joseph de Valdor of New York has been named U. S. correspondent for La Revue de L'erai.

Columbia Quiz Reels

Starring Bob Hawk, Columbia Pictures will release a series of question-and-answers shorts to be known as "Columbia Quiz Reels" first of which will be titled "Take It Or Leave It," based on the CBS and WABC feature originated by Hawk.

Writing "Mrs. Miniver" Script

Hollywood—James Hilton and R. C. Sherriff have been assigned by Metro to prepare the script of Jan Struther's novel, "Mrs. Miniver." Greer Garson is under consideration for the lead role.

"Capt. Caution" for Globe

Hal Roach's "Captain Caution" opens at the Globe here Saturday.

Six Mexico City Nabes Closed Due to Strike

Mexico City (By Air Mail)—Six neighborhood houses in Mexico City and environs have been closed the past two weeks because of a strike of all employees which was called by the Sindicato de Trabajadores de la Industria Cinematografica de Mexico (Union of Workers of the Motion Picture Industry of Mexico). The Sindicato claims that the owners have refused to renew the collective contract in force up to the date of the strike. The exhibitors claim new demands are impossible of acceptance. The owners of the houses affected, all third-run, have declared themselves ready to close altogether rather than accept the terms now demanded.

Pioneer Moving Iowa Office

Des Moines, Ia.—Don Smith, veteran theater man of Carroll, Ia., has been appointed district manager of Pioneer Theaters by Prexy Harold Field, and the district office is being moved from Des Moines to Carroll. Max Factor will continue as booker and assistant to Field at the home office in St. Louis Park, Minn.

Niven for Fox-British Film

Hollywood—David Niven will get leave from the British Army to appear in a Fox-British picture, "Spitfire Squadron," it was stated here at the 20th-Fox studios. Permission must first be obtained from Samuel Goldwyn who has Niven under contract. Film will be made at Shepherds Bush. Royal Air Ministry will co-operate.

To Make "Accent on Love"

Hollywood — Twentieth Century-Fox will revive "Accent on Love," which was once announced for Simone Simon and then for Sonja Henie and later abandoned. Charles Bennett will prepare the scenario from Paul Hervey Fox's novel, "Masterpiece."

To Replace Ann Sheridan

Hollywood — Warners Bros. has suspended Ann Sheridan from salary for failure to report for production on "Strawberry Blonde," and the studio is seeking another actress for the role assigned to Miss Sheridan.

Al H. Canby Dies

Al H. Canby, 84, former actor, newspaper man, theatrical manager and producer, died at a nursing home in Amityville, L. I., yesterday after a short illness. For five seasons he managed Alla Nazimova.

Greene Opens New House

Timmons, S. C.—The new 500-seat State Theater was opened yesterday by F. A. Greene.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 77

NEW YORK, THURSDAY, OCTOBER 17, 1940

TEN CENTS

COMMITTEES TO ADMINISTER ARBITRATION May Eliminate Profit Guarantees on GWTW

**Special Admission Scale
For 1941 Release Will
Halve Original Prices**

While the issue has not been decided upon definitely, it is not likely that M-G-M will resume its policy of guaranteeing a 10 per cent profit to exhibitors playing "Gone With the Wind" when the picture is released generally early in January. Because of the lower selling terms and the reduction in required admission prices, M-G-M authorities say that a profit guarantee probably will not be made although they believe

(Continued on Page 3)

Plan Arbitration For Dramatists Pact

With the final draft of the Dramatists Guild-League of New York Theaters-film company agreement covering backing of plays and purchase of screen rights by the film companies being readied this week, negotiators are now studying a plan to set up a permanent arbitration board to settle disputes which would be comprised of one representative and one alternate from each of the three groups.

Sources close to the negotiators

(Continued on Page 3)

4,000 in New York Industry Registered Under the Draft

Approximately 3,500 to 4,000 identified with the industry in one branch or another in the metropolitan area today are listed on Uncle Sam's draft rolls as potential soldiers, following yesterday's registration. Just how

(Continued on Page 4)

"Arise" Opening Said Biggest in 3 Years

Para's "Arise My Love," gave the New York Paramount Theater its biggest opening yesterday in the last three years when it completed its first day with receipts of \$10,000 on the day, according to Robert M. Weitman, manager of the theater. Matinee biz was exceptionally heavy.

THEATER MANAGEMENT AT M.I.T.

First Course Offered by Major University Will Be Inaugurated Next Monday

Boston—First, or at least one of the first, leading American universities to institute a course on theater management, Massachusetts Institute of Technology will inaugurate one via extension department next Monday.

Course leader will be Arthur L. Tuohy, formerly manager of Loew's theaters here. Course, embracing 16

lecturers, is aimed for those employed in both large and small theaters, and others who want to prepare for a career in theatrical biz. MIT will issue certificates to those fulfilling the course requirements satisfactorily.

"Faculty" lineup of lecturers includes leading figures in film biz here.

(Continued on Page 4)

Million Film Coin For Plugs on Air

Estimated expenditures by film companies in spot radio, for the first time, will pass the million dollar mark for the current year. Activity by the companies in premieres, etc., with radio tie-ups, both on a commercial and a sustaining basis, plus the national network purchases,

(Continued on Page 4)

2,300 From Coast Studios Register for the Draft

West Coast Bureau of THE FILM DAILY Hollywood—More than 2,300 persons regularly employed in Coast studios registered yesterday in the National draft. Of this number 600 are employed at Paramount, 600 at

(Continued on Page 4)

Col. Southern Div. To Meet in Atlanta

Two-day conclave of Columbia's Southern Division, to be held Saturday and Sunday in the Hotel Ansley, Atlanta, will be presided over by Abe Montague, company's general sales manager, and Rube Jackler, assistant general sales manager, both of whom will leave New York to-

(Continued on Page 10)

Paramount Key Execs. At NWMP Chi. Premiere

Delegation of key executives from Paramount's New York office, including Barney Balaban, Adolph Zukor, Neil F. Agnew, and Charles Reagan, will attend the Chicago opening of NWMP next Thursday.

(Continued on Page 4)

L.A. Film Biz Said Improving Public Turns to Pix to Escape War Strain

N. E. Allied Asks Longer Clearance on Dime Houses

Boston—Local Allied unit, Independent Exhibitors, Inc., is asking the distributors to establish six months' clearance over theaters charging low admission prices. In a resolution, the New England unit charged that certain theaters had dropped their prices from 25 cents

(Continued on Page 3)

By DR. W. P. SHUCK

FILM DAILY Staff Correspondent

Buenos Aires (By Air Mail)—Film biz in Latin-America shows general improvement, according to Walter Gould, UA exec., here on an inspection trip.

Gain, according to Gould, is largely attributable to the public's desire for escapism, a desire resulting from the strain of war news, with the

(Continued on Page 4)

AAA to Provide From Five To Nine of its Directors For Executive Committee

Work on drafting rules for arbitration proceeded slowly yesterday with a conference scheduled for today and another probably for tomorrow. In addition to the rules of arbitration, the conferees discussed the personnel and management machinery which enforcement of the arbitration code would require, it was learned. The American Arbitration Association, which will direct all arbitration proceedings, has taken steps to create a number of committees to administer the code.

The general supervisory committee, consisting of from five to nine members, will be known as the Executive Committee and will be com-

(Continued on Page 3)

Nazis Insist Dutch Theaters Keep Open

German authorities in Holland are insisting that theaters be kept open and all of the 27 houses in Amsterdam are operating. It was said yesterday by Max Westebbe, who for

(Continued on Page 10)

Pettijohn, Recovering, Leaves Hospital Today

Charles C. Pettijohn, general counsel of the MPDPA, today will leave the St. Agnes Hospital, White Plains, where he has been recovering-

(Continued on Page 3)

"Dictator" Strong In Capitol, Astor

Chaplin's "The Great Dictator," following its dual world premiere at the Astor and Capitol Tuesday night, was expected to hit a \$15,000 to \$17,000 gross yesterday at the latter house, while UA said the Astor had capacity for both performances yesterday. At the Capitol, where the film is showing at 75 cents to 5 p.m. and \$1.10 thereafter, up to 5 p.m. attendance was reported at 12,500, equal to about \$9,300. Capitol's 5 p.m. attendance and receipts figures were termed all-time highs by UA. Capitol policy calls for seven shows daily. Astor advance sale, according to UA, is in the neighborhood of \$40,000.



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JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Fredman, The Film Renter, 127-133 Wardour St., W. 1. PARIS—P. A. Harle, La Cinematographie Francaise, 29 Rue Arsoulan (12). MEXICO CITY—Mare Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Wednesday, Oct. 16)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.				
Col. Pict. vcs. (2½%)				
Columbia Pict. pfd.				
Con. Fm. Ind.				
Con. Fm. Ind. pfd.	8½	8½	8½	+ ¼
East. Kodak	135	133	134½	+ 1½
do pfd.				
Gen. Th. Ex.	11½	11	11½	+ ¼
Loew's, Inc.	26	25½	25¾	+ ¼
do pfd.				
Paramount	8½	7¾	8½	+ ¾
Paramount 1st pfd.				
Paramount 2nd pfd.	9½	9¼	9½	
Pathé Film	11½	11	11½	
RKO	2½	2½	2½	+ ¼
20th Century-Fox	5½	5½	5½	
20th Century-Fox pfd.				
Univ. Pict. pfd.	81	81	81	
Warner Bros.	2½	2½	2½	+ ¼
do pfd.				

NEW YORK BOND MARKET

Kuith B. F. ref. 6½s	
Loew's deb. 3½s 46 103¾ 103¾	
Para. B way 3½s	
Para. Pict. 6½s	
Para. Pict. cv. 3½s 47	
Warner Bros.' deb. 6½s	

NEW YORK CURB MARKET

Micromor Pict.	
Sonotone Corp.	
Technicolor	9 8½ 9 - ¼
Trans-Lux	
Universal Corp. Wic.	

Lux Theater Pays \$1,200 For "Rockne" Radio Rights

West Coast Bureau of THE FILM DAILY Hollywood—"Lux Theater" paid \$1,200 for radio rights to Warners' "Knute Rockne—All American," and also is paying the original cast members, headed by Pat O'Brien, for their appearance on Dec. 2. Heretofore Lux shows have been confined mostly to pictures that have completed their second and third runs.

This broadcast, the 33rd national hookup in connection with "Knute Rockne," comes while the picture is still in many of its first-runs.

Stiff Sunday Films Fights In Northeast Pennsylvania

Wilkes-Barre, Pa.—Twenty-three communities in Northeast Pennsylvania will vote on Sunday movies in the November election with several of them receiving some real opposition on the issue. Stiffest of the opposition in the region is encountered in Berwick where the council, churches, Sunday School classes, the Odd Fellows and even the daily newspaper has come out against Sunday movies. Some opposition has appeared in Hazleton, Stroudsburg, Danville, Catawissa, Kingston. In one town, Conyngham Township, there is no theater at the present time but an affirmative vote will mean the erection of a theater.

The towns and counties where the vote will be taken are: Luzerne County—Kingston, Hazleton, White Haven, West Hazleton, Shickshinny, Conyngham Township; Lackawanna County—Taylor, Clarks Summit; Monroe County—Stroudsburg; Montour County—Danville; Columbia County—Berwick, Catawissa; Carbon County—Weatherly; Mauch Chunk, Palmerton, Summit Hill, Lehighton; Northumberland County—Mt. Carmel, Shamokin; Schuylkill County—Tamaqua; Lancaster County, Lancaster; Lycoming County—Williamsport; Lebanon.

Plan Pro-Sunday Films Ad Campaign In Harrisburg

Harrisburg, Pa.—An extensive pro-Sunday films advertising campaign will be started, it was announced by C. Floyd Honkins, Harrisburg representative of Wilmer & Vincent, who is chairman of a committee of local theatermen joined for the purpose of having the issue approved. The advertising will appear in newspapers, on billboards, over the radio and will be run in trailers in the theaters. Issue comes up at the November election.

Rogers to Visit Exchanges On Transcontinental Trip

Budd Rogers, vice-president and general manager of Alliance Films Corporation, left yesterday for Hollywood. On his trip West, he will stop off at Alliance exchanges in Buffalo, Cleveland, Detroit, Chicago, Milwaukee, and Kansas City. On his return route he will visit the Alliance exchanges in the South before he resumes his duties at his New York office.

Joseph Still In Hospital

New Haven—Morris Joseph, Universal exchange manager, New Haven, is still confined to Grace Hospital after a heart attack.

Peter J. Fallon Dead

Wilkes-Barre, Pa.—Peter J. Fallon, 64, veteran special officer at the Penn Theater here, is dead.

"Heritage" Opens on Nov. 4

The Belmont Theater, recently leased to French Films Import, will present the American premiere of "Heritage" on Nov. 4.

Heavy Advance Requests For PP's "Circus Night"

Advance reservations for the Picture Pioneers' "Circus Night at the Astor," to be held next Thursday night, are arriving in such volume that the turn-out will be a record one, it was asserted yesterday by Jack Cohn, House manager of the organization.

He stated that a large delegation is expected from the Toronto Chapter of the Canadian Picture Pioneers.

Membership applications flooding the executive committee will compel that body to hold a special meeting early next week so that applicants can be passed upon in time for initiation ceremonies, Cohn added.

Wimperis, Korda Associate, City of Benares Survivor

Montreal—Harrowing tales of 20 hours adrift in a lifeboat of the torpedoed City of Benares were told on arrival here by Arthur Wimperis, London playwright associated with Alexander Korda. There were 32 people including 22 children in the lifeboat and only six, two of them children, survived. The four adults made a date to meet annually to commemorate their rescue. Wimperis sustained a broken knee and still limps. His greatest personal loss was a collection of manuscripts which he intended to publish in New York. He is now on his way to Hollywood.

Manheim With Morris Office's Literary Dept.

William Morris, Jr., has brought Harold "Het" Manheim on from the West Coast office to concentrate on the literary department. Manheim, long identified with the industry, has done several stories for the screen and, more recently, has handled special assignments and advertising for the Morris office on the Coast.

Comerford Extending Use of Stage Shows

Comerford circuit is expanding its vaudeville policy in several Pennsylvania towns. Stage of the Feeley Theater, Hazleton, has been enlarged to accommodate two-day-a-week flesh shows, while plans are in work to inaugurate vaudeville at the Hippodrome, Pottsville, and the Strand, Carlisle.

First year of three-day-a-week stage shows has been completed at the Irving, Wilkes-Barre, and the Family, Scranton.

Donald Gledhill Here For Wanger Confabs

Donald Gledhill, executive secretary of the Academy of Motion Picture Arts & Sciences, is in New York for parleys with Walter Wanger, Academy president, on a number of projects in connection with the organization.

COMING and GOING

DONALD GLEDHILL, executive secretary of the Academy of Motion Picture Arts and Sciences, is here from the Coast.

H. M. RICHEY returned to New York yesterday.

EMMET CASHMAN, RKO home office representative, visited the New Haven branch.

BUDD ROGERS is en route to Hollywood, with stopovers on the way.

JOSEPH MULLEN, manager in Mexico for Warners, has left New York to return to his headquarters in Mexico City.

SOL C. SIEGEL is expected here tomorrow from the Coast.

JOSEPH KRUMGOLD is here from the Coast.

NOEL COWARD leaves Hollywood this week for Australia.

JACK PEGLER returned yesterday from the Coast.

DAVID SARNOFF goes to the Coast this week.

CARMEN MIRANDA leaves today for Chicago, going from there to the Coast after a four-week engagement there.

JUDY CANOVA is at the Warwick.

A. MONTAGUE and RUBE JACKTER, of Columbia, leave tomorrow for Atlanta to preside at a two-day sales meeting of the company's Southern division this week-end in that city.

20th-Fox to Send Nine Before Cameras in Nov.

West Coast Bureau of THE FILM DAILY Hollywood—Production at 20th-Fox will move into high next month, the studio listing nine features, including two musicals, for starts.

These include "How Green Was My Valley," which, because of the war, will be filmed in its entirety in this country instead of in Wales.

Other pictures are "Rings On Her Fingers," "Tall, Dark and Handsome," "The Great American Broadcast," "Dead Men Tell," "Uncensored" and "Breach of Discipline."

A camera crew has spent the last two months abroad a whaling ship in the South Pacific filming background scenes for "Down to the Sea in Ships."

Republic Signs Mary Lee, 15

West Coast Bureau of THE FILM DAILY Hollywood—Republic has placed Mary Lee, 15-year-old singer, under a long-term contract.

Republic Renews Rogers' Option

West Coast Bureau of THE FILM DAILY Hollywood—Republic has renewed its option on the services of Roy Rogers, western star.

"HARD-TO-GET-TO" PEOPLE ARE EASY TO GET TO BY
Postal Telegraph



CHARGES FOR TELEGRAMS
'PHONED IN APPEAR ON YOUR
TELEPHONE BILL.

May Eliminate GWTW Profit Guarantees

(Continued from Page 1)

that every theater to play GWTW will make money.

Meanwhile, W. F. Rodgers, M-G-M general sales manager, announced prior to his departure yesterday for the Coast that GWTW will not be cut or edited when it is released generally next year, but will be shown in its original form, running three hours and 45 minutes.

The new special price scale, Rodgers said, will be approximately one-half of the original road show admission, which was \$1.10 and 75 cents.

Rodgers pointed to the final and 44th week of the picture at the Astor, Broadway, as an indication of the revenue possibilities of the attraction. At \$2.20 top, he said, the last week equalled the attendance of the capacity opening week with even more persons turned away at the box office.

"We plan to get behind the general release of 'Gone With the Wind' with advertising and publicity campaigns just as we would any other big picture coming out of roadshow engagements. It's still brand new to the great mass audience of the theater-goers and it will be exploited and handled accordingly."

Rodgers said that the new price scale would be one that would be fair to both the public and the exhibitor.

Incidentally, Metro reported yesterday that GWTW's final weeks' figures at the Hawaii, Los Angeles, not only topped the opening week by 33 per cent, but were ahead of every other week of the eight-week run.

N. E. Allied Asks Longer Clearance on Dime Houses

(Continued from Page 1)

to 20 cents and in some instances were issuing passes which permitted a patron to buy a ticket for 10 cents.

Because neighborhood theaters charging up to 39 cents were playing pictures day-and-date with the low-price houses, Allied wants the latter group to be set back six months on clearance.



● ● ● THE RODEO at Madison Square Garden.....is having its biggest season in many a moon.....and if you should be in the vicinity of the Garden's stage door shortly before show time.....and see the throngs of youngsters and oldsters awaiting the arrival of a certain singing cowboy.....you will understand why biz is booming.....Because Gene Autry is living up to his reputation as a drawing card.....The boys at Republic Pictures can vouch for that.....Anyway.....what we started to say was.....we dropped in on Gene in his dressing room yesterday.....and were convinced that he is getting.....as big a kick out of the big show as the folks out front.....and that's saying plenty.....

● ● ● FROM the time he and his horse, Champion.....arrived in town by plane.....Gene has been having one swell time.....When the New York rodeo is over.....Gene goes to Boston for the yip-yip show in Beantown.....and then he is going to donate his services in Toronto.....at a big benefit show for war relief and refugee children.....For three days starting Nov. 14.....Gene and his troupe will entertain the Canadians strictly gratis.....and that's a big order.....when you consider the crew he carries with him.....After that he will head for Hollywood.....to make two more pix for Republic.....

● ● ● THEY'RE OFF!.....in fact they're in their allotted territories by this time.....thanks to the swiftness o' air travel.....We mean Columbia's Flying Press Squadron.....which is to cover via zone plane hops.....the newspapers of the nation.....in behalf of "Arizona".....the new Wesley Ruggles-directed saga.....Columbia is aiming at creating for its many exhib. friends.....a luscious, ready-to-go audience nationally.....for this attraction.....Lou Smith himself will have the Western sphere of influence.....while Jack Thomas will operate in the Mid-West and Mark Freeland in East and South.....Good goin', Columbia!.....

● ● ● STUFF:.....Thanks, John Joseph for that tidy statuette of Deanna Durbin and her lil' goat in that swell opening sequence of "Spring Parade".....And a long cheer for Christy Walsh for that grand graduation program last night at the World's Fair Academy of Sports whereat Babe Ruth, in cap and gown, handed out the coveted diplomas to the kids.....The Belmont Theater, recently leased to French Films Import, will present the U. S. premiere of "Heritage" on the night of Nov. 4.....Those WB promotional forces, ever quick on the trigger, have gone into Editor & Publisher to tell the Fourth Estate that Edward G. Robinson's "A Dispatch From Reuters" is dedicated to the men of journalism.....Yuletide's approach is heralded by receipt of a greeting card, amusingly illustrated, from far-off Singapore and it's from Maurice R. Silverstein to wish us a "S'lamat Hari Christmas dan Tahn Bharu." ("Red" pens on the card: "Have to send them out early this year. Too many reasons why they may never reach your friends").....The co-"Eds," Wynn and Cantor are rehearsing for their turns at the big "Night of Stars" in Madison Sq. Garden on Nov. 27.....Paradoxical as it may seem, Joe E. "So You Won't Talk" Brown is gonna do just that at Amp's three-ring luncheon circus today in the Hotel Edison,—and so will Harry (Featured Speaker) Brandt and Garson (Hit Maker) Kanin.

Discuss Commillees To Steer Arbitration

(Continued from Page 1)

prised of a number of Association directors. Other subordinate committees will be created to supervise the budgetary requirements and the calling of local arbitrators.

The Association, meanwhile, has been compiling lists of arbitrators in the various exchange districts. The work is complicated by the necessity of inquiring of potential arbitrators their background and past history to eliminate all those who have been engaged in the film business.

Completion of the list, it was stated, is expected before the decree itself is approved of by the Court.

Plan Arbitration in Dramatists Guild Pact

(Continued from Page 1)

yesterday declared that no obstacles were present which would delay finalization of the draft. It will be voted on by the DG membership at its annual meeting next month.

Meanwhile, additional film companies were reported to be eyeing play properties with a view to backing them when the pact becomes effective. Paramount, Warners, Metro and RKO are said to be interested in properties which have been submitted to them.

Pettijohn Recovering, Leaves Hospital Today

(Continued from Page 1)

ing following an operation. Pettijohn will be home convalescing about two weeks before returning to his office.

Suit Dismissal Denied

New York Supreme Court Justice Julius Miller yesterday denied an application by the defendants to dismiss the suit of Harry Silverstein against French Cinema Center, Inc., French Film Import Co., Inc., and Andre R. and Gerry Heymann. The stockholders suit asks for a receiver for French Cinema on the ground that the Heymanns have transferred

STORKS!

Wilkes-Barre — A son, Thomas Brock Killeen, was born to Mr. and Mrs. Thomas V. Killeen. Killeen is district manager of the Comerford Theaters for Wilkes-Barre, Hazleton, and Mauch Chunk.

Scranton—Mr. and Mrs. Joseph Elicker are parents of a daughter. Elicker is former publicity director for the Comerford Theaters and is now director of public relations for Nassau in the Bahamas. The child was born in Danville.



Million Film Coin For Plugs on Air

(Continued from Page 1)

will show the figure to a new all-time high for 1940.

Increasing use of radio to promote films has been reported by local stations throughout the country. M-G-M yesterday signed with Columbia Recording Corp., for 500 quarter-hour programs to be made every two weeks, tying in with new films, and to be submitted to stations on a cuffo basis.

Also signaturing a CRC contract was United Artists, whose contract calls for a series of quarter-hour disks to be cut at regular intervals for distribution to 85 outlets, where they will be sponsored by the film concern. Initial release of the latter company has been titled "Lowell Thomas Discusses the 'Thief of Bagdad'."

Paramount also entered the radio picture this week, purchasing the entire Mutual and CBS chains for a quarter-hour prelude broadcast of its new film, "The World In Flames."

Paramount Key Excers. At NWMP Chi. Premiere

(Continued from Page 1)

Dual premiere at the Chicago and State Lake theaters will also attract Cecil B. DeMille, Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster, Robert Preston and Lynne Overman.

The State-Lake Theater, directly across the street from the 5,000-seat Chicago Theater, has a seating capacity of 4,000. Tickets have been scaled at \$1.65 for main floor and mezzanine and \$1.10 for balcony.

4,000 in New York Industry Registered Under the Draft

(Continued from Page 1)

many, however, actually will qualify after application of the exemption regulations is impossible to determine.

Two More "Bagdad" Showmen's Previews

Two more "showmen's previews" of Alexander Korda's "Thief of Bagdad" have been arranged. In Detroit the production will be shown at the Fine Arts Theater tomorrow. In Indianapolis it is being today shown at the Cinema Theater.

Additional previews are being held today in Atlanta, Des Moines, Denver, St. Louis and Cleveland.

Beverly Bayne On Radio

Beverly Bayne, silent film star, will be featured in a new radio series, "Aunt Jenny's Real Life Stories," over the CBS network. Quarter hour programs will be heard Mondays through Fridays over the entire hookup.

Proving That There's Always Two Ways of Looking at the Advanced Price Question

An interesting sidelight on the question of advanced admission prices for certain films is the following story, brought to the attention of Loew officials by a checker in his report following a "Boom Town" engagement at the Zephyr, Abingdon, Va.

"Two young fellows from out in the country came up to the box-office," the checker reported. "After a quick glance at the price list, one exclaimed: 'Good God, Henry! Forty cents! That's too high!' Henry, however, proceeded to dig down for the money. 'You mean,' his companion demanded, 'you're going to pay that price?' Henry nodded. 'Yes,' he remarked, 'if they can afford to ask 40 cents, it must be a hell of a good show!'"

The checker reported that he watched for these two after the show and asked them how they enjoyed the picture. "The best we ever saw!" was the response, the checker asserted.

Latin-American Film Biz Said Improving

(Continued from Page 1)

better economic picture also a factor.

"Rebecca," Gould said, is getting top receipts throughout Latin-America.

UA shortly will release a Chilean feature, "Escandale," produced by Delano Coke. A success in Chile, it is to be sent into other South American countries, Gould stated.

Gould goes to Rio from this capital, returning to the U. S. from Brazil.

Du-Art Pleads Pix Custom In Negative Loss Suit

Du-Art Film Laboratories, Inc., yesterday filed answer in the New York Supreme Court to a \$12,500 damage suit of Hal A. Porter and raised the defense that a film custom frees a laboratory of liability for loss of a negative because of negligence or theft where the negative was stored without charge.

The answer states that it is customary for laboratories to store negatives without charge on request, and asks for an adjudication affirming the custom. Suit claims that Du-Art failed to return a negative of a California travelogue film stored in 1937.

Consolidated Theaters Makes Managerial Shifts

Montreal—George Rotsky, general manager of Consolidated Theaters, Ltd., announced last night the following changes on the departure of Leslie Dowbiggin, manager of the Capitol, to join the Army. Paul Guenette, assistant manager at Loew's, to be manager at the Capitol; Nelson Murphy, assistant manager at the Imperial to be assistant manager at Loew's, and Alf. Goulet, assistant manager at His Majesty's to be assistant manager at the Imperial. No assistant manager has been appointed to His Majesty where Henry Moss remains manager.

Capra Staying at Warners

West Coast Bureau of THE FILM DAILY

Hollywood—Reports that he was negotiating with another studio were denied "as wholly without foundation in fact" here yesterday by Frank Capra. Capra has just completed filming "Meet John Doe" at Warners.

2,300 From Coast Studios Register for the Draft

(Continued from Page 1)

Warner Bros., and, although no official figure was available at M-G-M, it is believed that Culver City studios also supplied 600 registrations.

Twentieth Century-Fox reported 150 eligible employees; Universal 170; RKO 110; Columbia 85; Republic 50; Monogram 40.

Between 500 and 600 extra players also registered.

Among prominent actors who registered were: James Stewart, Cesar Romero, Orson Welles, Broderick Crawford, Mischa Auer, Robert Taylor, Lee Bowman, Tony Martin, Lew Ayres, John Carroll, Don Ameche, Richard Carlson, Robert Young, John Shelton, Tim Holt, Kent Taylor, Smiley Burnette, Henry Fonda, John Carradine, Tyrone Power, John Payne, Errol Flynn, Noah Beery, Jr., Alan Curtis, Franchot Tone, Lon Chaney, Jr., John Sutton, Dick Foran;

Also Eddie Albert, Jeffrey Lynn, John Howard, Johnny Mack Brown, William Lundigan, Artie Shaw, Dennis Morgan, John Garfield, Albert Dekker, Ray Milland, Sterling Hayden, Robert Paige, William Holden, Skinnay Ennis, George Reeves, James Ellison, Eddie Bracken, Gene Raymond, Laird Cregar, Glenn Ford, Bruce Bennett, Roy Rogers, Don Barry, Gene Autry and Bob Livingston.

A number of players on location arranged to register out of town.

Among topflight stars too old for the draft were Clark Gable, Ronald Colman, Cary Grant, William Boyd, Spencer Tracy, Buck Jones and George O'Brien.

20th-Fox Assigns Three Writers

Writers have been assigned to three new stories by 20th-Fox. Norman Foster has started work on the script for "Breach of Discipline," Charles Bennett is writing the screen play for "Accent On Love" and Vincent Lawrence is writing the script for "I Knew Her When."

Waterbury Getting Vaude

Waterbury, Conn. — Loew's, Inc. has booked vaudeville for Wednesdays at the Loew-Poli. The Loew-Poli, Meriden, Globe, Bridgeport, and

Opening In Estherville

Estherville, Ia.—The Hollywood theater will open today under the new management of Forrest Leggate of Dayton.

M.I.T. Offers Theater Management Course

(Continued from Page 1)

Scope of the unique course is indicated by the following schedule of class sessions:

- Oct. 21: General Theater Management—Introductory Remarks—Arthur L. Tuohy
- Oct. 22: Question and Discussion Period—conducted by Charles Kurtzman, mgr. Loew's, Inc.
- Oct. 28: Business Problems—Howard Burkhardt, manager, Loew's Orpheum Theater, Boston
- Nov. 4: Projection — Thad C. Barrows, supervisor of production, Metropolitan Theater, Boston
- Nov. 18: Booking—(Lecturer to be announced)
- Nov. 25: Stage Show Production—Ben Domingo, city manager, RKO Theaters, Boston
- Dec. 2: Publicity and Advertising—Joseph A. Di Pesa, publicity director, Loew's State and Orpheum Theaters, Boston
- Dec. 9: Exploitation and Promotion—John A. Granara, publicity director, RKO Theaters, Boston
- Dec. 16: Publicity Campaigns for Subsequent-Run Theaters—Jack Saef, publicity director, Paramount and Fenway Theaters, Boston
- Jan. 6: Motion Picture Production and Distribution—Maurice Wolf, branch manager, Metro Exchange, Boston
- Jan. 13: Personnel Problems and Public Relations—Chester Stoddard, district manager, M & P Theaters
- Jan. 20: Duties of a Division Manager—Charles Kurtzman, in charge of Loew's Northeastern Division of Theaters
- Jan. 27: Duties of a District Manager—Harry I. Wasserman, district manager, M & P Theaters
- Feb. 3: The Independent Theater—Stanley Sumner, managing director, University Theater, Cambridge
- Feb. 10: Lobby Display and Art Work—Louis Chiamonte, poster artist, National Screen Accessories, Boston
- Feb. 17: Legislative and Public Activities—Joseph H. Brennan, executive secretary, Allied Theaters of Massachusetts
- Feb. 24: Summary of the Course—Review with Arthur L. Tuohy

Only recent attempt along the same lines was at Syracuse University two years ago. Lecturers there, however, were not as numerous, nor was the class formally organized by the university. Too, it was intended for undergraduates only.

Cosman on Settlement Of Producers Lab. Strike

J. T. Cosman, president of Producers Laboratories, commenting yesterday upon published reports of the settlement of difficulties with Local 702, said that vacation with pay was not the issue involved, but that "the union wished to tell us when, where and how to give the vacation."

Cosman pointed out that the contract with the union provided for arbitration and said that the strike was called regardless. He added that, "The union did not force us to give a week's vacation with pay, because we always agreed to the same and we gave a week's vacation, namely, the week they were on strike."

Rivoli Holds "Long Voyage"

Walter Wanger's "The Long Voyage Home," stays on at the Rivoli Theater.



THE STORY OF A MOST EXCITING STORY



"ESCAPE"—a story that appeared serially in the pages of *The Saturday Evening Post*—a book immediately selected for distribution by "The Book of the Month Club"—a book that became the top ranking novel of last year with more than a quarter million full priced copies sold—a book so eagerly sought after that the new popular edition is expected to sell into the millions! "Escape"—the most exciting novel of our time!

Metro-Goldwyn-Mayer has long been famous for the great stories it has brought to the screen—"David Copperfield" and "The Good Earth", "Mutiny on the Bounty" and "Northwest Passage", "The Citadel", "Goodbye Mr. Chips" and many others. It is fitting that Metro should

produce "Escape"—fitting because with M-G-M making the picture the audiences of the world are assured that the story will be rendered authentically and superbly!

Every studio resource has been poured into the making of "Escape". Norma Shearer is the Countess to the life. Robert Taylor creates his most memorable film characterization as Mark Preysing. Conrad Veidt is General Kurt. And, for the demanding role of Emmy Ritter, Metro-Goldwyn-Mayer prevailed upon the famous Nazimova to return to the screen.

"Escape" now takes its place in the array of great stories which have fulfilled their screen destinies! Watch for it at your local theatre.



Starring **NORMA SHEARER** as the Countess • **ROBERT TAYLOR** as Mark Preysing
with **CONRAD VEIDT** as the General • **NAZIMOVA** as Emmy Ritter • **FELIX BRESSART** as Fritz Keller • **ALBERT BASSERMAN** as Doctor Henning
PHILIP DORN as Doctor Ditten • **BONITA GRANVILLE** as Ursula • **BLANCHE YURKA** as the Nurse • **ELSA BASSERMAN** as Mrs. Henning
EDGAR BARRIER as the Commissioner • A Metro-Goldwyn-Mayer Picture • Directed by **MERVYN LEROY** • Screen Play by Arch Oboler and
Marguerite Roberts • Based on the Novel "Escape" by Ethel Vance • A Mervyn LeRoy Production

THIS SATURDAY EVENING POST AD STARTS
THE BARRAGE OF BIG-TIME M-G-M PROMOTION!



REVIEWS OF THE NEW FILMS



"Arise, My Love"

with Claudette Colbert, Ray Milland,
Walter Abel

Paramount 113 Mins.

COMPELLING STORY, BLENDING COMEDY AND DRAMA SMOOTHLY: FILM IS A HIGH-GEARED B. O. ATTRACTION FOR GENERAL AUDIENCES.

Audiences generally should afford this picture a hearty reception. It has a compelling story that is an unusual mixture of high drama and comedy, with highly effective accent on the comedy aspects. It also has an undertone of preachment, dealing with our world of today, although this properly and importantly is subordinate to the story itself.

Exhibitors have many angles for exploitation. Certainly, Claudette Colbert is a ranking box office "name" with a big following. Ray Milland's popularity has risen in leaps and bounds in the past year to the extent that his name has definite marquee value also. Regarding the story, it is high adventure in journalism, it is top-notch drama, and hilarious comedy, any one of which or all three themes can be easily exploited. And then again, the story graphically relates what has befallen Europe today and, to an extent, how this happened. Injected is just enough militarism to smack the point home without hitting an audience with gruesome footage of horrible destruction.

The performances of the entire cast are fine. Miss Colbert effectively displays her talents as a comedienne, but also shows her wares as a polished dramatic actress. Milland wades through his role with gusto. Cast as a dare-devil, to-hell-with-it flyer who is trying to stem the tide of suppression being forced on charming people by the dictators, he has never appeared to better advantage. Walter Abel scores as the Paris head of a leading news service. Dennis O'Keefe, Dick Purcell and George Zucco are effective in bits, and the supporting cast is a great deal more than adequate.

Arthur Hornblow has given the picture opulent production value. Mitchell Leisen deftly guides his players through their paces and his sympathy with the story is clearly evidenced in his direction. Based on a story by Benjamin Glazer and John S. Toldy, scenarists Charles Brackett and Bill Wilder have created a moving screenplay that runs the full gamut of emotions without slopping over or losing the underlying note that activates the story. Charles Lang contributes a fine photographic job, and the remainder of the production crew rate credit for a fine assist.

The picture could be tightened a little where footage has been used to illustrate and build self-explanatory scenes. Maybe the drama jumps because it is so heavily offset by comedy, but, all in all, the picture is a smoothly constructed and polished piece of screen merchandise.

The story opens with Milland being miraculously rescued from a Spanish prison by Miss Colbert, who he discovers has stated that she was his wife, merely to get a good news story. The story then slips into delightful comedy. Miss Colbert and Milland fall in love and have made up their minds to go back to America and live their own lives far from trouble and strife and to hell with their indignation against dicta-

"Gun Code"

with Tim McCoy, Inna Gest, Alden Chase
Producers Releasing Corp. 54 Mins.

ACTIONFUL WESTERN MELLER WITH FAST PACE SHOULD PLEASE THE OUTDOOR TRADE.

Latest in the Tim McCoy releases, this measures up to par and should please the western trade. It is replete with action of every sort and the redoubtable Colonel Tim McCoy buffets the villains around with agility and despatch. Locations are okay and the story, although slightly implausible, manages to keep moving at all times.

McCoy looks and acts satisfactorily as a western hero. Miss Inna Gest fills the leading female role, and Alden Chase and an assortment of bad men handle the villainy department. Some comedy relief is provided by Lon Fulton. Sigmund Neufeld produced the picture and Peter Stewart directed.

McCoy rides into a western town and finds that it is throttled by a protective association. He hangs out a shingle as a blacksmith and immediately tangles with the association. From there on there is plenty of fast action, including a kidnapping, gun fights and lots of fast riding until McCoy tracks down the leader of the gang.

CAST: Tim McCoy, Inna Gest, Lon Fulton, Alden Chase, Carleton Young, Ted Adams, Dave O'Brien, George Chesbro, Jack Richardson, John Elliott.

CREDITS: Producer, Sigmund Neufeld; Director, Peter Stewart; Original Screenplay, Joseph O'Donnell; Cameraman, Jack Greenhalgh; Editor, Holbrook N. Todd.

DIRECTION, Fast. PHOTOGRAPHY O. K.

MP Associates Meet Tomorrow

Regular meeting and luncheon of Motion Picture Associates will be held tomorrow at Toots Schor's restaurant. Luncheon starts at 12:30. Several guest speakers are slated to appear.

tors and their futile struggle to oppose them.

They sail on the ill-fated Athenia, are rescued, remain and fight their fight, and the fight of all people who believe in freedom of speech, freedom of religion and expression, and the principles of democratic government. The picture opens with a bang and ends with a wallop, and audiences will leave theaters thoroughly entertained, but they will have also fully appreciated the serious undertone.

CAST: Claudette Colbert, Ray Milland, Walter Abel, Dennis O'Keefe, Dick Purcell, George Zucco, Frank Puglia, Cliff Nazarro, Michael Mark, Jesus Topete, Nestor Paiva, Fred Maltatesta, Juan Duval, Paul Bryon, George Davis, Alan Davis, Esther Dale, Jean Bel Val, Lan Easton, Sarah Edwards, Fern Emmett.

CREDITS: Producer, Arthur Hornblow; Director, Mitchell Leisen; Screenplay, Charles Brackett and Billy Wilder; Original Story, Benjamin Glazer and John S. Toldy; Cameraman, Charles Lang; Editor, Doane Harrison.

DIRECTION, Splendid. PHOTOGRAPHY, Top Notch.

"The Quarterback"

with Wayne Morris, Virginia Dale,
Lillian Cornell

Paramount 74 Mins.

TIMELY AND TOPICAL, AMUSING FOOTBALL YARN IS FIRST-RATE POP ENTERTAINMENT.

Released to coincide with the annual open season for coonskin coats and chrysanthemums, this football yarn is timely, topical and highly amusing screenfare. It is first-rate pop entertainment and should get a nice reception from audiences generally. Containing a story that differs in some respects from the usual football formula, and also endowed with a snappy pace, it breezes right along to a good laugh windup without any letup. Wayne Morris is the best marquee name offered by the cast, but exhibitors have plenty of comedy and football to exploit.

Morris is personable and capable in a dual personality role. Cast as twin brothers, he essays the role of a scholar and tough football player without slipping up in either characterization. The Misses Virginia Dale and Lillian Cornell attractively decorate the picture. Edgar Kennedy and Alan Mowbray inject considerable comedy into the picture, and Walter Catlett, William Frawley and Jerome Cowan are capable additions to the cast. H. Bruce Humberstone directed, making the most of his story and handling the laugh situations neatly. The original screenplay was contributed by Robert Pirosh.

As Jimmy, the scholar, Morris is doing nicely in college and has fallen for Miss Dale. Suddenly Jimmy finds himself embroiled in several matters that make him think his football playing, gambling and shiftless brother is in town. Brother Bill, the football player, makes an impression on the football team's coach, Frawley, and Jimmy, who is about to leave college, is offered a scholarship to play football. Kennedy, the local drug store proprietor and staunchest rooster of the team, is brought into the Morris camp as an aide so Bill can play football and Jimmy can attend classes.

Complications ensue from the start, with mixups occurring from then on, but all works out for the best after a lot of hilarious situations have been straightened out. This one is among the better football pictures of recent years and should prove to be a nice box office sleeper that will find plenty of favor with audiences.

CAST: Wayne Morris, Virginia Dale, Lillian Cornell, Edgar Kennedy, Alan Mowbray, Jerome Cowan, Rod Cameron, William Frawley, Walter Catlett, Frank Burke.

CREDIT: Producer, Anthony Veiller; Director, H. Bruce Humberstone; Original Screenplay, Robert Pirosh; Cameraman, Leo Tower; Editor, Alma Macrorie.

DIRECTION, Able. PHOTOGRAPHY, Good.

Para. Combines Two Stories

West Coast Bureau of THE FILM DAILY

Hollywood — "In Old Colorado," which went before the cameras Tuesday at the Paramount studios, is a combination of that story and "Bullets and Bandits." It will emerge as one film instead of two. In the cast with William Boyd are Dana Dale, Russell Hayden and Andy Clyde. Howard Bretherton will direct.

"So You Won't Talk"

with Joe E. Brown, Frances Robinson,
Vivienne Osborne, Bernard Nedell,
Tom Dugan

Columbia 69 Mins.

FAIR COMEDY OFFERING WITH STAR IN DUAL ROLE. WILL FIT THE BILL OF THE AVERAGE STAND.

Mistaken identity is the crux of this one, as Joe E. Brown plays dual roles,—that of young, absent-minded, shy book reviewer who is fired from his job on a newspaper and then seeks to fulfill his ambition to author a novel,—and that of a gangster who is released from Alcatraz and returns to recapture his place as head of a mob.

Naturally the two collide, with the result that all sorts of complications set in. The aspiring novelist is held by the gang members who think he is their former leader, whose mental machinery must have gone ga-ga as an outgrowth of his penitentiary stretch. On the other hand, Brown's girl friend, who wants him to succeed as a big writer, thinks during the proceedings that the returned gangster is the true person of the man she loves.

The situations are generally amusing, but they lack the zip and power which spells concerted comedy and occasional belly-laughs. There are chases in which Brown transports himself on two occasions under his own steam, and one in which he appropriates a scooter to escape from his gangland pursuers. Too, there is a lot of inconsequential menace, gunplay, plus a shallow little romance. Edward Sedgwick's direction keeps matters moving as best he can considering that the script and gags are none too strong or original.

Brown's fans will doubtless like the picture for the star's characteristic antics and mugging. Cast turns in lively performances within the potentialities of the material at hand. Frances Robinson flashes plenty of personality and charm. It's mild and light entertainment,—but the latter appears the type of diversion in best current demand since so many problem pix stud the contemporary scene.

CAST: Joe E. Brown, Frances Robinson, Vivienne Osborne, Bernard Nedell, Tom Dugan, Dick Wessel, Anthony Ward.

CREDITS: Director, Edward Sedgwick; Assistant Screenplay, Richard Flournoy; Assistant Director, Abby Berlin; Director of Photography, Allen G. Siegler; Film Editor, James Sweeney; Art Director, Lionel Bantor; Musical Director, M. W. Stolf; Sound Engineer, Lambert Day.

DIRECTION, Good. PHOTOGRAPHY, Good.

Alan Hale for New "Tugboat"

West Coast Bureau of THE FILM DAILY

Hollywood — Warner Bros. has engaged Alan Hale to play opposite Marjorie Rameau in the further adventures of Tugboat Annie in "Tugboat Annie in Drydock," set for production on Nov. 7.

Cast for "Keeping Company"

West Coast Bureau of THE FILM DAILY

Hollywood — Metro has cast Frank Morgan, Irene Rich and Gloria De Haven for "Keeping Company." Also Rita Johnson and Edward Ashley for "Maise Was a Lady."

The Film Daily's Calendar

A list of English-speaking features released since June 6, 1940, by companies. Arranged by FILM DAILY review. Names are the principal players in the cast. Complete casts and

COLUMBIA

Passport to Alcatraz, 60 mins.....6-6-40
FD: 6-18-40. Jack Holt, Noah Beery, Jr., Cecilia Callejo
Lone Wolf Meets a Lady, The, 71 mins.
5-30-40
FD: 6-18-40. Warren William, Jean Muir, Eric Blore
Mad Men of Europe, 73 mins.....6-3-40
FD: 6-26-40. Edmund Gwenn, Mary Maguire, Paul von Hrenreid
Return of Wild Bill, 60 mins.....6-27-40
FD: 7-10-40. Bill Elliott, Iris Meredith, George Lloyd
West of Abilene, 58 mins.....10-21-40
FD: 7-17-40. Charles Starrett, Marjorie Cooley, Don Beddoe
Girls of the Road, 61 mins.....6-20-40
FD: 7-24-40. Bill Elliott, Iris Meredith, George Lloyd
Fugitive From a Prison Camp, 59 mins.
9-5-40
FD: 8-6-40. Jack Holt, Marian Marsh, Phillip Terry
Military Academy, 66 mins.....7-18-40
FD: 8-6-40. Tommy Kelly, Bobby Jordan, David Holt, Jackie Searl
The Fight For Life, 69 mins.....6-27-40
FD: 3-18-40. Myron McCormick, Storrs Haynes
He Stayed for Breakfast, 89 mins.8-22-40
FD: 8-12-40. Loretta Young, Mervyn Douglas, Una O'Connor
Secret Seven, The, 62 mins.....8-8-40
FD: 8-15-40. Bruce Bennett, Florence Rice, Barton MacLane
Durango Kid, The, 60 mins.....8-15-40
FD: 8-23-40. Charles Starrett, Luana Walters, Kenneth MacDonald
Howards of Virginia, The, 122 mins.8-29-40
FD: 9-3-40. Cary Grant, Martha Scott, Sir Cedric Hardwicke
Out West with the Peppers, 62 mins.
6-30-40
FD: 9-5-40. Edith Fellows, Dorothy Peterson
Thundering Frontier, 57 mins.....12-5-40
FD: 9-16-40. Charles Starrett, Iris Meredith
I Married Adventure, 78 mins.....7-24-40
FD: 9-25-40. Mr. and Mrs. Martin Johnson
Before I Hang, 71 mins.....9-17-40
FD: 10-4-40. Boris Karloff, Evelyn Keyes, Bruce Bennett
Blondie Has Servant Trouble, 70 mins.
7-25-40
FD: 10-9-40. Penny Singleton, Arthur Lake, Larry Sims
So You Won't Talk, 69 mins.....7-24-40
FD: 10-17-40. Joe E. Brown, Frances Robinson, Tom Dugan

M-G-M

Susan and God, 115 mins.....6-7-40
FD: 6-4-40. Joan Crawford, Fredric March
Mortal Storm, The, 100 mins.....6-14-40
FD: 6-11-40. Margaret Sullivan, James Stewart, Robert Young, Frank Morgan
New Moon, 105 mins.....6-28-40
FD: 6-18-40. Jeanette MacDonald, Nelson Eddy, Mary Boland
Captain Is a Lady, The, 63 mins.....6-21-40
FD: 6-26-40. Charles Coburn, Beulah Bondi, Virginia Grey
Andy Hardy Meets Debutante, 86 mins.
7-5-40
FD: 7-2-40. Mickey Rooney, Judy Garland, Lewis Stone

Pride and Prejudice, 157½ mins.....8-2-40
FD: 7-9-40. Greer Garson, Laurence Olivier, Mary Boland
We Who Are Young, 79 mins.....7-19-40
FD: 7-16-40. Lana Turner, John Shelton, Gene Lockhart
Sporting Blood, 82 mins.....7-12-40
FD: 7-24-40. Robert Young, Maureen O'Sullivan
Boom Town, 116 mins.....8-30-40
FD: 8-6-40. Clark Gable, Spencer Tracy, Claudette Colbert, Hedy Lamarr
I Love You Again, 99 mins.....8-9-40
FD: 8-8-40. William Powell, Myrna Loy, Frank McHugh
Gold Rush Maisie, 82 mins.....7-26-40
FD: 9-6-40. Ann Sothorn, Lee Bowman, Slim Summerville
Wyoming, 89 mins.....9-13-40
FD: 9-10-40. Wallace Beery, Leo Carrillo, Ann Rutherford
Dr. Kildare Goes Home, 78 mins.....9-6-40
FD: 9-11-40. Lionel Barrymore, Lew Ayres, Laraine Day
Strike Up the Band, 120 mins.....9-20-40
FD: 9-17-40. Mickey Rooney, Judy Garland, Paul Whiteman
Dulcy, 64 mins.....10-4-40
FD: 10-3-40. Ann Sothorn, Ian Hunter, Roland Young
Third Finger, Left Hand, 60 mins.10-11-40
FD: 10-11-40. Myrna Loy, Mervyn Douglas, Lee Bowman

MISCELLANEOUS

After Mein Kampf—? (Crystal Pictures), 69 mins.
FD: 9-20-40. Semi-factual British production
Time in the Sun (World Pictures), 55 mins.
9-30-40
FD: 10-8-40. Historical-social document of Mexico
Mozart (Mozart Film Co.), 76 mins.....9-30-40
FD: 10-8-40. Stephen Haggard, Victoria Hopper, John Loder
Here Is Ireland (Irish-American Film Corp.), 11 mins.
FD: 10-9-40. Travelogue in color

MONOGRAM

On the Spot, 62 mins.....6-11-40
FD: 6-4-40. Frankie Darro, Mantan Moreland, Mary Kornman
Wild Horse Range, 58 mins.....6-18-40
FD: 6-18-40. Jack Randall, Frank Yaconelli, Tom London
Last Alarm, The, 61 mins.....6-25-40
FD: 6-25-40. J. Farrell MacDonald, Polly Ann Young, Warren Hull
Land of Six Guns, 54 mins.....5-2-40
FD: 6-26-40. Jack Randall, Louise Stanley
Golden Trail, The, 52 mins.....7-3-40
FD: 7-8-40. Tex Ritter, Slim Andrews, Ina Guest
Boys of the City, 63 mins.....7-15-40
FD: 7-22-40. Bobby Jordan, Leo Gorcey, Dave O'Brien
Haunted House, The, 70 mins.....7-22-40
FD: 7-23-40. Jackie Moran, Marcia Mae Jones, Geo. Cleveland
Laughing at Danger, 63 mins.....8-12-40
FD: 8-20-40. Frankie Darro, Joy Hodges, Manfan Moreland
Doomed to Die, 67 mins.....8-12-40
FD: 9-3-40. Boris Karloff, Grant Withers, Marjorie Reynolds

Who Is Guilty?, 69 mins.....9-2-40
FD: 9-6-40. Ben Lyon, Syd Walker, Terence de Marney
Range Busters, The, 53 mins.....8-22-40
FD: 9-9-40. Ray Corrigan, John King, Max Terhune
Rainbow Over the Range, 62 mins.....6-29-40
FD: 9-10-40. Tex Ritter, Warner Richmond
Kid from Santa Fe, The, 57 mins.....5-23-40
FD: 9-20-40. Jack Randall, Clarence Curtis
That Gang of Mine, 62 mins.....9-23-40
FD: 10-3-40. East Side Kids, Joyce Bryant
Drums of the Desert, 64 mins.....10-7-40
FD: 10-9-40. Ralph Byrd, Lorna Gray, Mantan Moreland
Little Miss Molly, 64 mins.....9-23-40
FD: 10-10-40. Maureen O'Hara, Binkie Stuart, Tom Burke
Trailing Double Trouble, 56 mins.....10-7-40
FD: 10-15-40. Ray Corrigan, John King, Max Terhune

PARAMOUNT

Those Were the Days, 70 mins.....6-21-40
FD: 5-22-40. William Holden, Bonita Granville, Ezra Stone
Hidden Gold, 61 mins.....6-7-40
FD: 5-24-40. William Boyd, Russell Hayden, Ruth Rogers
Safari, 80 mins.....6-14-40
FD: 6-4-40. Douglas Fairbanks, Jr., Madeleine Carroll
Way of All Flesh, 86 mins.....7-5-40
FD: 6-11-40. Akim Tamiroff, Gladys George, Wm. Henry, Muriel Angelus
Ghost Breakers, The, 82 mins.....6-21-40
FD: 6-13-40. Bob Hope, Paulette Goddard, Richard Carlson
Untamed, 83 mins.....7-26-40
FD: 7-2-40. Ray Milland, Patricia Morison, Akim Tamiroff
Queen of the Mob, 61 mins.....6-28-40
FD: 7-3-40. Ralph Bellamy, Blanche Yurka, J. Carol Naish, Jean Cagney
Stagecoach War, 63 mins.....7-12-40
FD: 7-10-40. William Boyd, Russell Hayden, Harvey Stephens
Great McGinty, The, 81 mins.....8-23-40
FD: 7-23-40. Brian Donlevy, Muriel Angelus, Akim Tamiroff
Mystery Sea Raider, 75 mins.....8-9-40
FD: 8-5-40. Carole Landis, Henry Wilcoxon, Onslow Stevens
Golden Glories, 69 mins.....8-2-40
FD: 8-5-40. Richard Denning, Jean Cagney, J. Carol Naish
Rhythm on the River, 92 mins.....9-6-40
FD: 8-20-40. Bing Crosby, Mary Martin, Oscar Levant
Three Men from Texas, 70 mins.....11-15-40
FD: 9-10-40. William Boyd, Russell Hayden, Andy Clyde
Rangers of Fortune, 80 mins.....10-11-40
FD: 9-19-40. Fred MacMurray, Patricia Morison, Albert Dekker
Christmas in July, 70 mins.....10-18-40
FD: 9-20-40. Dick Powell, Ellen Drew, Ernest Truex
Comin' Round the Mountain, 80 mins.
8-16-40
FD: 10-3-40. Bob Burns, Una Merkel, Jerry Colonna
I Want a Divorce, mins.....9-20-40
FD: 10-4-40. Joan Blondell, Dick Powell, Gloria Dickson

World in Flames, 60 mins.....10-14-40
FD: 10-14-40. Documentary from news-reel shots
Arise My Love, 113 mins.
FD: 10-17-40. Claudette Colbert Ray Milland, Walter Abel
Quarterback, 74 mins.
FD: 10-17-40. Wayne Morris, Virginia Dale

PRODUCERS RELEASING CORP.

Frontier Crusader, 62 mins.....6-15-40
FD: 6-14-40. Tim McCoy, Dorothy Short, Carl Hackett
Hold That Woman, 64 mins.....7-15-40
FD: 7-12-40. James Dunn, Frances Gifford
Marked Men, 66 mins.....8-28-40
FD: 9-3-40. Warren Hull, Isabel Jewell, John D'Ision
Gun Code, 54 mins.
FD: 10-17-40. Tim McCoy, Inna Guest, Alden Chase

RKO RADIO

Tom Brown's School Days, 86 mins.6-14-40
FD: 6-24-40. Sir Cedric Hardwicke, Freddie Bartholomew, Jimmy Lydon, Josephine Hutchinson
Millionaires in Prison, 63 mins.....7-12-40
FD: 6-27-40. Lee Tracy, Linda Hayes, Raymond Walburn
Prairie Law, 59 mins.....6-14-40
FD: 6-27-40. George O'Brien, Virginia Vale, Dick Hogan
Cross-Country Romance, 68 mins.....7-19-40
FD: 6-28-40. Gene Raymond, Wendy Barrie, Hedda Hopper
Ramparts We Watch, The, 90 mins.8-16-40
FD: 7-24-40. John Adair, John Sommers, Julia Kent
Dr. Christian Meets the Women, 68 mins.
7-5-40
FD: 8-5-40. Jean Hersholt, Dorothy Lovett, Edgar Kennedy
One Crowded Night, 68 mins.....8-9-40
FD: 8-16-40. Billie Seward, William Hade, Charles Lang
Lucky Partners, 102 mins.....8-2-40
FD: 8-19-40. Ronald Colman, Ginger Rogers, Spring Byington
Stage to China, 59 mins.....7-26-40
FD: 8-20-40. George O'Brien, Virginia Vail, Roy Barcroft
Dance, Girl, Dance, 90 mins.....8-23-40
FD: 8-28-40. Maureen O'Hara, Louis Hayward, Lucille Ball
Stranger on the Third Floor, 64 mins.
8-16-40
FD: 9-3-40. Peter Lorre, John McGuire, Margaret Tallichet
Men Against the Sky, 75 mins.....9-6-40
FD: 9-5-40. Richard Dix, Kent Taylor, Wendy Barrie
Dreaming Out Loud, 81 mins.....9-13-40
FD: 9-10-40. Lum 'n' Abner (Chester Lauck, Norris Goff)
I'm Still Alive, 72 mins.....9-27-40
FD: 9-30-40. Kent Taylor, Linda Hayes, Ralph Morgan
Beyond Tomorrow, 84 mins.....5-10-40
FD: 9-30-40. John Parker, Richard Carlson, Harry Carey

of Current Feature Releases

According to date of review. Dates after titles are distributor release dates: FD: indicates date
 ution credits are included with FILM DAILY reviews. *Indicates Technicolor production.

Laddie, 70 mins. 10-18-40
 FD: 10-18-40. Tim Holt, Virginia Gilmore,
 Spring Byington
 Too Many Girls, 85 mins. 11-1-40
 FD: 10-4-40. Lucille Ball, Richard Carl-
 son, Ann Miller
 They Knew What They Wanted, 96 mins.
 10-25-40
 FD: 10-9-40. Carole Lombard, Charles
 Laughton, William Gargan
 Mexican Spitfire Out West, 76 mins.
 11-15-40
 FD: 10-9-40. Lupe Velez, Leon Errol
 Triple Justice, 66 mins. 9-20-40
 FD: 10-10-40. George O'Brien, Virginia
 Vale, Harry Woods.

REPUBLIC

Women in War, 71 mins. 6-6-40
 FD: 5-27-40. Elsie Janis, Wendy Barrie,
 Patrick Knowles
 Refugee, The, 79 mins. 7-3-40
 FD: 6-14-40. John Wayne, Sigrid Gurie,
 Chas. Coburn
 Carson City Kid, The, 57 mins. 6-27-40
 FD: 6-19-40. Roy Rogers, George "Gabb-
 by" Hayes, Bob Steele
 Wagons Westward, 70 mins. 6-19-40
 FD: 6-24-40. Chester Morris, Anita Lou-
 ise, Buck Jones, Ona Munson
 One Man's Law, 57 mins. 6-29-40
 FD: 7-8-40. Don "Red" Barry, Janet
 Waldo, Dub Taylor
 Scatterbrain, 74 mins. 7-20-40
 FD: 7-11-40. Judy Canova, Alan Mow-
 bray, Ruth Donnelly
 Carolina Moon, 65 mins. 6-15-40
 FD: 7-16-40. Gene Autry, Smiley Burn-
 ette, June Storey
 Girl From God's Country, 71 mins. 7-30-40
 FD: 7-23-40. Chester Morris, Jane Wyatt,
 Chas. Bickford
 Ranger and the Lady, The, 59 mins.
 7-30-40
 FD: 7-24-40. Roy Rogers, George Hayes,
 Jacqueline Wells
 Sing, Dance, Plenty Hot, 70 mins. 8-10-40
 FD: 8-5-40. Ruth Terry, Johnny Downs
 Earl of Puddleston, 67 mins. 8-31-40
 FD: 8-14-40. James and Lucille Gleason,
 Harry Davenport
 Oklahoma Renegades, 57 mins. 7-30-40
 FD: 8-15-40. Bob Livingstone, Raymond
 Hatton, Duncan Renaldo
 Ride Tenderfoot, R'de, 65 mins. 9-6-40
 FD: 8-19-40. Gene Autry, Smiley Burn-
 ette, June Storey
 Colorado, 57 mins. 9-15-40
 FD: 9-3-40. Roy Rogers, George "Gabb-
 by" Hayes, Pauline Moore
 Girl from Havana, 69 mins. 9-11-40
 FD: 9-6-40. Dennis O'Keefe, Claire
 Carleton, Victor Jory
 Tulsa Kid, The, 57 mins. 8-16-40
 FD: 9-6-40. Don "Red" Barry, Noah Beery,
 Luana Walters
 Under Texas Skies, 57 mins. 9-27-40
 FD: 9-16-40. Bob Livingstone, Bob Steele,
 Rufe Davis
 Young B'ill Hickock, 59 mins. 10-24-40
 FD: 9-27-40. Roy Rogers, George "Gabb-
 by" Hayes, Jacqueline Wells
 Melody and Moonlight, 72 mins. 10-11-40
 FD: 10-3-40. Johnny Downs, Barbara Al-
 len (Vera Vague)
 Grand Ole Opry, 68 mins. 6-25-40
 FD: 10-3-40. Leon Frank, June Weaver

Frontier Vengeance, 57 mins. 10-10-40
 FD: 10-7-40. Don "Red" Barry, Betty
 Moran
 Hit Parade of 1941, The, 86 mins. 10-15-40
 FD: 10-15-40. Kenny Baker, Frances
 Langford, Hugh Herbert

20th CENTURY-FOX

Charlie Chan's Murder Cruise, 75 mins.
 6-21-40
 FD: 5-7-40. Sidney Toler, Marjorie
 Weaver, Lionel Atwill
 Four Sons, 89 mins. 6-14-40
 FD: 6-4-40. Don Ameche, Eugene Leon-
 tovic, Mary Beth Hughes
 Manhattan Heartbeat, 72 mins. 7-12-40
 FD: 6-5-40. Robert Sterling, Virginia Gil-
 more, Joan Davis
 Earthbound, 67 mins. 6-7-40
 FD: 6-13-40. Warner Baxter, Andrea
 Leeds, Lynn Bari
 On Their Own, 63 mins. 5-17-40
 FD: 6-14-40. Spring Byington, Ken How-
 ell, Geo. Ernest
 Girl in 313, 56 mins. 5-31-40
 FD: 6-17-40. Florence Rice, Kent Tay-
 lor, Lionel Atwill
 Lucky Cisco Kid, 68 mins. 6-28-40
 FD: 6-28-40. Cesar Romero, Mary Beth
 Hughes, Chris-Pin Martin
 Maryland, 92 mins. 7-14-40
 FD: 7-2-40. Walter Brennan, Fay Bainter,
 Brenda Joyce, John Payne
 Street of Memories, 71 mins. 11-15-40
 FD: 7-2-40. Lynn Roberts, Guy Kibbee,
 John McGuire
 Sailor's Lady, 66 mins. 7-5-40
 FD: 7-3-40. Nancy Kelly, Jon Hall, Wally
 Vernon

Young People, 78 mins. 8-30-40
 FD: 7-15-40. Shirley Temple, Jack
 Oakie, Charlotte Greenwood
 Man I Married, The, 77 mins. 8-2-40
 FD: 7-16-40. Joan Bennett, Francis
 Lederer, Lloyd Nolan
 Charlie Chan at the Wax Museum, 63 mins.
 10-6-40
 FD: 8-1-40. Sidney Toler, Sen Yung, C.
 Henry Gordon
 Pier 13, 66 mins. 8-23-40
 FD: 8-9-40. Lynn Bari, Lloyd Nolan,
 Joan Valerie
 Return of Frank James, The, 92 mins.
 8-16-40
 FD: 8-12-40. Henry Fonda, Gene Tierney,
 Jackie Cooper, Henry Hull
 Great Profile, The, 82 mins. 10-25-40
 FD: 8-20-40. John Barrymore, Gregory
 Ratoff, Mary Beth Hughes
 Brigham Young, 114 mins. 9-27-40
 FD: 8-27-40. Tyrone Power, Linda Darnell,
 Dean Jagger, Brian Donley
 Public Deb No. 1, 105 mins. 10-13-40
 FD: 9-18-40. Brenda Joyce, George Mur-
 phy, Charlie Ruggles
 Down Argentine Way, 94 mins. 10-11-40
 FD: 10-4-40. Don Ameche, Betty Grable,
 Carmen Miranda

UNITED ARTISTS

Pastor Hal (Roosevelt), 97 mins.
 FD: 8-1-40. Nova Pilbeam, Sir Seymour
 Hicks, Wilfrid Lawson

Captain Caution, (Roach), 85 mins. 8-9-40
 FD: 8-2-40. Victor Mature, Louise Platt,
 Leo Carrillo
 Kit Carson (Small), 97 mins. 8-30-40
 FD: 8-27-40. Jon Hall, Lynn Bari, Dana
 Andrews, Ward Bond
 Foreign Correspondent (Wanger), 119 mins.
 8-16-40
 FD: 8-29-40. Joel McCrea, Laraine Day,
 Herbert Marshall
 Westerner, The (Goldwyn), 100 mins.
 9-20-40
 FD: 9-20-40. Gary Cooper, Walter Bren-
 nan, Fred Stone, Doris Davenport
 Long Voyage Home, The, 105 mins.
 FD: 10-4-40. John Wayne, Thomas Mit-
 chell, Ian Hunter
 Thief of Bagdad, The, 106 mins. 9-27-40
 FD: 10-15-40. Conrad Veidt, Sabu, June
 Duprez, Rex Ingram
 Great Dictator, The (Chaplin) 129 mins.
 FD: 10-16-40. Charles Chaplin, Paul-
 ette Goddard, Jack Oakie

UNIVERSAL

Sandy is a Lady, 64 mins. 6-14-40
 FD: 5-21-40. Baby Sandy, Batch and
 Buddy, Eugene Palette, Nan Grey
 I Can't Give You Anything but Love Baby,
 61 mins. 6-21-40
 FD: 5-21-40. Broderick Crawford, Peggy
 Moran, Johnny Downs
 Ski Patrol, 64 mins. 5-10-40
 FD: 5-22-40. Philip Dorn, Luli Deste.
 Samuel S. Hinds
 Framed, 61 mins. 2-23-40
 FD: 5-28-40. Frank Albertson, Constance
 Moore, Jerome Cowan
 Half a Sinner, 59 mins. 4-5-40
 FD: 6-5-40. Heather Angel, John King,
 Constance Collier
 Private Affairs, 75 mins. 7-5-40
 FD: 6-13-40. Hugh Herbert, Nancy Kelly,
 Roland Young
 Bad Man from Red Butte, 58 mins. 5-31-40
 FD: 6-14-40. Johnny Mack Brown, Fuzzy
 Knight, Bob Baker
 Hot Steel, 61 mins. 7-12-40
 FD: 6-26-40. Richard Arlen, Andy Devine,
 Peggy Moran
 You're Not So Tough, 71 mins. 7-26-40
 FD: 7-11-40. Nay Grey, Billy Halop,
 Huntz Hall
 Boys From Syracuse, The, 73 mins. 8-9-40
 FD: 7-15-40. Allan Jones, Joe Penner,
 Martha Raye
 Fugitive, The, 76 mins. 9-20-40
 FD: 7-25-40. Ralph Richardson, Diana
 Wynyard
 When the Daltons Rode, 80 mins. 7-26-40
 FD: 7-29-40. Randolph Scott, Kay Fran-
 cis, Brian Donley
 I'm Nobody's Sweetheart No, 64 mins.
 11-1-40
 FD: 8-6-40. Dennis O'Keefe, Constance
 Moore, Helen Parrish
 Son of Roaring Dan, 63 mins. 7-26-40
 FD: 8-9-40. Johnny Mack Brown, Fuzzy
 Knight, Nell O'Day
 South to Karanga, 59 mins. 8-2-40
 FD: 8-14-40. Charles Bickford, James
 Craig, Luli Deste
 Leather Pushers, The, 64 mins. 9-13-40
 FD: 9-5-40. Richard Arlen, Andy Devine
 Hired Wife, 93 mins. 9-7-40
 FD: 9-9-40. Rosalind Russell, Brian
 Aherne, Virginia Bruce, Robert
 Benchley

Black Diamonds, 69 mins. 7-19-40
 FD: 9-11-40. Richard Arlen, Andy Devine,
 Kathryn Adams
 Margie, 59 mins. 12-6-40
 FD: 9-18-40. Tom Brown, Nan Grey,
 Mischa Auer
 Spring Parade, 89 mins. 9-27-40
 FD: 9-26-40. Deanna Durbin, Robert
 Cummings, Mischa Auer
 Ragtime Cowboy Joe, 58 mins. 9-20-40
 FD: 9-30-40. Johnny Mack Brown, Fuzzy
 Knight, Nell O'Day
 Diamond Frontier, 71 mins. 10-4-40
 FD: 10-4-40. Victor McLaglen, John
 Loder, Anne Nagel
 Mummy's Hand, The, 67 mins. 9-20-40
 FD: 10-4-40. Dick Foran, Peggy Moran,
 Wallace Ford
 Argentine Nights, 74 mins. 9-6-40
 FD: 10-15-40. The Ritz Brothers, The
 Andrews Sisters, Constance Moore.
 Little Bit of Heaven, A, 87 mins. 10-25-40
 FD: 10-16-40. Gloria Jean, Robert
 Stack, Hugh Herbert

WARNER BROS.

Brother Orchid, 91 mins. 6-8-14
 FD: 5-31-40. Edward G. Robinson, Ann
 Sothern, Humphrey Bogart, Ralph
 Bellamy
 All This and Heaven Too, 143 mins. 6-29-40
 FD: 6-17-40. Bette Davis, Charles Boyer,
 Barbara O'Neill, Jeffrey Lynn
 My Love Came Back, 81 mins. 7-20-40
 FD: 6-28-40. Olivia de Havilland, Jeffrey
 Lynn, Eddie Albert
 Man Who Talked Too Much, The, 75 mins.
 7-6-40
 FD: 7-8-40. George Brent, Virginia
 Bruce, Richard Barthelmess
 Murder in the Air, 55 mins. 6-1-40
 FD: 7-10-40. Ronald Reagan, John Litel,
 Lya Lys
 They Drive by Night, 93 mins. 8-10-40
 FD: 7-12-40. George Raft, Ann Sheri-
 dan, Ida Lupino, Humphrey Bogart
 Fugitive From Justice, A, 53 mins. 6-15-40
 FD: 7-12-40. Roger Pryor, Lucille Fair-
 banks, Eddie Foy, Jr.
 Sea Hawk, The, 127 mins. 8-24-40
 FD: 7-23-40. Errol Flynn, Brenda Mar-
 shall, Claude Rains
 Flowing Gold, 82 mins. 8-31-40
 FD: 8-28-40. John Garfield, Frances Far-
 mer, Pat O'Brien
 River's End, 69 mins. 8-10-40
 FD: 8-28-40. Dennis Morgan, George To-
 bias, Elizabeth Earl
 Ladies Must Live, 58 mins. 7-27-40
 FD: 9-5-40. Wayne Morris, Priscilla Lane,
 Roscoe Karns
 No Time for Comedy, 93 mins. 9-14-40
 FD: 9-9-40. James Stewart, Rosalind Rus-
 sell, Genevieve Tobin
 City for Conquest, 101 mins. 9-21-40
 FD: 9-13-40. James Cagney, Ann Sheri-
 dan, Frank Craven
 Money and the Woman, 67 mins. 8-17-40
 FD: 9-18-40. Brenda Marshall, Jeffrey
 Lynn, John Litel
 Dispatch from Reuter's, A, 89 mins. 10-19-40
 FD: 9-24-40. Edward G. Robinson, Edna
 Best, Eddie Albert
 Knute Rockne—All American, 98 mins.
 10-5-40
 FD: 10-7-40. Pat O'Brien, Gage Page,
 Ronald Reagan, Donald Crisp

Col. Southern Div. To Meet in Atlanta

(Continued from Page 1)

morrow on the Crescent Limited for the meeting.

The Columbia executives and sales staff will devote the two-day session principally to an analysis on sales and exhibition plans for the company's forthcoming Wesley Rugles' production "Arizona," starring Jean Arthur. A discussion of the methods of selling and exhibition, as well as the co-operation to be extended by the distributor to exhibitors to further emphasize the importance of "Arizona" as one of Columbia's major box-office attractions will highlight the sales meet.

In addition, the attending sales executives and salesmen will discuss arrangements for the release of "Angels Over Broadway" and the sales personnel also will be given a further "close-up" of forthcoming early releases, including "This Thing Called Love," "Passage West," "Penny Serenade" and "Legacy."

The Southern Division exchanges, under Division Manager Sam Moscow, which will be represented at the sales meetings are Atlanta, Charlotte, Dallas, Memphis, Oklahoma City and New Orleans.

Newsreel Men on Vox Pop Tonight to Plug "Flames"

Three of Paramount's crack newsreel men will join three well known explorers at a dinner tonight at the Hotel Martintique given by the Adventurers' Club in honor of the world premiere of Paramount's newsreel feature, "The World in Flames" which opens this evening at Loew's Columbia Theater, Washington, D. C. Newsreel celebrities to attend are Arthur Menken, Lewis "Ned" Budd, Jr., and Philip Coolidge. They will appear on the Vox Pop air program tonight from 7:30 to 8 on a 60-station CBS hookup, and talk on their colorful profession of gathering the world's news.

Members of the Adventurers' Club to appear on the program are Phil Plant, Francis Cotlow and Tex O'Rourke.

V. C. Hears FBI Agent

Baltimore—Frank Saucy, head of the Baltimore District of the Federal Bureau of Investigation, addressed tent number 10 of the Variety Club today.

Scranton's Walker Testimonial Oct. 28

Scranton, Pa.—Date for the testimonial dinner to be tendered Postmaster General Frank C. Walker by the Lackawanna County Democratic Committee has been set as Oct. 28. It was reported that Sam Rayburn, Speaker of the House, will be present as will Walker's predecessor, James A. Farley, and Democratic National Chairman Edward J. Flynn.

REVIEWS OF SHORT SUBJECTS

"Nature's Nursery" (Paraphrased)

Paramount 10 mins.
Unusual Presentation

A swell collection of baby animal shots, photographed by John L. Haeseler, who did the Academy Award subject, "Busy Little Bears," and a swell short for any theater. Haeseler's photography of the young raccoons, possums, mink and skunks is first rate and the narration, the voice of Will Geer through the mouth of an old owl, makes for a funny and interesting reel.

"Listen to Larry" (Headliner)

Paramount 10 mins.
Nice Band Subject

Dipsy Doodler Larry Clinton supplies the music in this band number which is a good blend of swing and sweet numbers. Modern swing is represented by Clinton's composition, "Study in Surrealism" and Terry Allen's vocal "I Dream of Jeannie With the Light Brown Hair," takes care of the older music. Attractive Helen Southern sings "What's The Matter With Me."

"My Pop, My Pop" (Popeye)

Paramount 7 mins.
Weak Cartoon

Popeye's Pappy, the 90 year old would-be youngster, tries to help the

sailor build a boat and makes a shambles of the job until Popeye is able to finish while his father takes a nap. Just fair.

"The Sporting Everglades" (Spotlight)

Paramount 10 mins.
Good Sports Subject

The little known Florida Everglades is covered in this interesting reel. Abounding in wild life, the 10,000 mile wilderness is little known even to tourists to nearby Miami. Following introductory shots taken in Miami, the Grantland Rice subject moves into the Everglades and reveals a few of its wonders, including the Seminole Indian villages, wild bird rookeries, deer, and other wild life. Highlights are the capture of a giant ray and a 14-foot sawfish plus some shots of fishing with light tackle for tarpon.

"King For a Day" (Gabby Cartoon)

Paramount 7 mins.
Just Fair

A routine cartoon, in Technicolor, relating the adventures of Gabby when he substitutes for the king who has been warned that he is to be shot. After a wild chase through the palace, it develops that the suspected killer is just a photographer out to make a "shot."

French Producer Joins Argentine "Hollywood"

Buenos Aires (By Air Mail)—Jacques Constant, French director, producer and writer, and husband of the French actress, Marie Glory, is joining Argentine's "Hollywood" the Baires Film City built during the past two years under the supervision of Daniel Tinayre, French director.

Constant's contract is with Baires Films, Argentine producing firm which fathered the Film City idea, located at Don Torcuato in the Province of Buenos Aires. Baires Films expects to start production at its "Hollywood" in the near future.

Holland Bow In "Hullabaloo"

West Coast Bureau of THE FILM DAILY

Hollywood — Charles Holland, young New York Negro singer who has been signed to an M-G-M contract, will make his screen debut in "Hullabaloo," comedy being produced by Louis K. Sidney, former director of radio station WHN in New York. Following completion of this film, Holland is expected to travel East for his first New York recital at Town Hall.

Marquerite St. John Dies

Marquerite St. John, 79, actress, died yesterday in New York following a long illness. In private life she was Mrs. George Murray Wood and is survived by a daughter, Marjorie Wood, and a son, Stanley Wood. She made her stage debut 40 years ago in "The Lion and the Mouse."

Price Tilts for Special Films No Go in Oakland

Oakland, Calif.—Complaints from patrons against recent tries have convinced exhibs. hereabouts that price tilting for special films won't go.

This is in contrast to their general acceptance of the advanced prices inaugurated following the new taxes recently imposed by the Government, although some customers are showing a tendency to avoid the downtown houses in favor of the lower priced nabes.

Donlevy for "Vagabond"

West Coast Bureau of THE FILM DAILY

Hollywood—Boris Morros has cast Brian Donlevy as Al Jennings in "The American Vagabond," replacing Walter Brennan. Doug Fairbanks, Jr. has the stellar role in this film of O. Henry's life.

Warner Bros. Buy Story

West Coast Bureau of THE FILM DAILY

Hollywood — Warner Bros. have bought "The Case of the Black Parrot," scenario by Robert Kent, for early production. Noel Smith will direct. Kurt Bernhard will direct Earl Baldwin's "Adopted Daughter."

Warners Cast Dennis Morgan

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. yesterday cast Dennis Morgan for the male lead in "She Stayed Kissed," by Kenneth Gamet. Ben Stollhoff will direct with production set to start late this month. Lucia Carroll and Cornell Wilde will be in the cast.

Nazis Insist Dutch Theaters Keep Open

(Continued from Page 1)

the last three years has been RKO's manager in Holland. The Germans, he said, are insisting that normal life be continued and look upon the theaters as a necessity, even to the extent of lending money to exhibitors to keep their houses open.

RKO is operating in Holland under limited distribution privileges, inasmuch as German pictures are being shown almost exclusively, Westebbe said. However, he added, the Walt Disney subjects are favorite films in Holland and Germany and are getting playing time. Exhibitors have little choice in selecting their programs, as the Nazi authorities designate the runs, clearance and maximum percentage.

At the time Westebbe left Holland with his family, theater business was not good, although patronage in the two newsreel theaters in Amsterdam was capacity.

Westebbe and his family survived without injuries the siege, bombardment and final surrender of Holland. However, they were unable to communicate with the New York office for six months. He does not expect to return to Holland.

Luncheon for Hal Green

Hal M. Green, who is resigning from RKO's press book department to enter another line of business, was the guest of honor at a luncheon yesterday tendered by his associates. Event was held at Maison Louis. Green has been with the company 10 years.

New House for Cedartown

Cedartown, Ga.—The Lam Amusement Co., of Rome, has awarded a contract to G. P. Donnellan, Atlanta contractor, for the construction of a new film theater here. Tucker & Howell, of Atlanta, are the architects. Cost of the new house was not stated.

Metro's Screen Forecast Out

Latest issue of Screen Forecast, M-G-M's semi-annual institutional booklet which is available gratis to the exhibitor, is off the press and ready for distribution. Issue covers Fall and Winter productions.

Birds Are Expressed To Express Message

A neat promotional coup (or should we say "coo") has been scored again by the Warner forces via the dispatch of live pigeons to leading exhibs. and newspapermen o'er the country. The feathered couriers bear personal letters from Grudwell L. Sears, general sales manager, and Charles Einfield, director of advertising-publicity, ament the new WB feature, "Dispatch From Reuters." Birds were shipped by express, while, in turn, the messages they carry express the bigness and importance of the opus.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 78

NEW YORK, FRIDAY, OCTOBER 18, 1940

TEN CENTS

MAY ASK CONGRESS TO CORRECT DECREE Say U.K. 5 Million Remittance Offer Nixed

Expect New Negotiations To be Opened Shortly With British Government

London (By Cable)—The English Government has offered the American distributors a sum of \$5,000,000 as the momentary remittance they would be able to take out of the country for the forthcoming year, starting on the Oct. 31 expiration date of the present commitment, but it has been turned down, it was reliably reported in Wardour Street yesterday.

Ambassador Joseph P. Kennedy represented the American distributors in the negotiations for a new monetary allowance. Sum of \$17-
(Continued on Page 4)

Wall St. Forecasts \$2 For Para. Com. Shares

Based on current and third quarter business, Paramount has a good chance of reporting around \$2 a share for its common stock this year, according to The Wall Street Journal.

(Stanton Griffiths, chairman of Paramount's executive committee, said
(Continued on Page 7)

Picture Pioneers Admit 5 More to Membership

Favorable action was taken on five applications for membership submitted at the meeting of the Executive Committee, of the Picture Pioneers, held at the Hotel Astor noon yesterday. The new members
(Continued on Page 7)

RKO Men in Service To Get 4 Weeks Pay

Ned E. Depinet, RKO v.-p., has announced that the board of directors has adopted the policy of giving four weeks' salary to all employees called for military service or volunteering for the twelve-month training period in the present emergency. RKO also has arranged for those leaving its employ for military service to continue if they so desire their group life insurance and group accident, death and dismemberment coverages.

EXHIBITOR— Defined by Brandt

Speaking at the AMPA luncheon yesterday, Harry Brandt, ITOA president, gave the following definition of an exhibitor:

"An exhibitor — contrary to any previously established thoughts on the matter—is a fellow who buys something he doesn't want, from somebody who hasn't got what he is trying to sell and who doesn't deliver what he hasn't got, at prices he can't afford, plays them to audiences which don't come—and winds up his year with a big red mark in his ledger and a terrific Winter in Florida."

Brandt Urges Staffs To Plug Sub.-Runs

A suggestion that film companies set up "subsequent-run publicity staffs" to plug pictures after they leave the first-runs was advanced yesterday by Harry Brandt, ITOA president, at the Ampa luncheon in the Hotel Edison.

Brandt said that the publicity and
(Continued on Page 8)

Syracuse Exhibs. Vote State MPTO Affiliation

Syracuse, N. Y.—Organization of a local unit of the MPTO of New York State, Inc., to replace the defunct unit of New York Allied was assured at a meeting of the major-
(Continued on Page 7)

Ask Spokane Giveaway End Indies Want Writ Against Evergreen House

Simon Libros, Long Ill, Dead in Philadelphia

Philadelphia—Simon Libros, 59, died yesterday after a long illness. He was an executive with Advertising Accessories here and before that time was president of the Indepen-
(Continued on Page 4)

ITOA Prepared to Ask for Legislation if Consent Terms Are Found Injurious, Declares Harry Brandt; Replies to Myers, Outlines Organization's Stand

If the terms of the consent decree prove injurious to ITOA members and others who are not parties to the Government suit, the organization will propose Congressional legislation to correct

Metro Distributing "Land of Liberty"

By JOSEPH ESLER
FILM DAILY Staff Correspondent

Chicago — Metro will distribute "Land of Liberty," historical feature produced by the motion picture industry for exhibition at both World's Fairs and the profits will go to charity, William F. Rodgers, Metro's sales chief, announced here yesterday.

The disclosure came at a Blackstone Hotel luncheon at which Rodgers, celebrating his 31st year in films, was host to 250 exhibitors from Chicago and the Mid-west. Rodgers asked for exhibitor co-operation in its exhibition nationally.

Discussing Metro's relations with
(Continued on Page 8)

Pinanski Again President of Mass. Allied Theaters

Boston—Officers of Allied Theaters of Massachusetts, Inc., (MPTOA unit) were re-elected and two new directors were elected to replace Fred Greenway and H. M. Addison at a meeting here Wednesday.

The new directors are Charles E
(Continued on Page 4)

the alleged evils of the decree as well as seek other so-called needed reforms.

This assertion was made yesterday by Harry Brandt, ITOA president, while replying to Abram F. Myers' request for the stand of Brandt and Ed Kuykendall on certain aspects of the decree.

Brandt's answering statement is not only a reply to Myers but as well constitutes a summary of the ITOA's criticism of the decree to Thurman W. Arnold, Assistant Attorney General, who had asked that the critical remarks not be made public. However, Brandt said yes-
(Continued on Page 6)

Allied Board Will Set Decree Course

Abram F. Myers, Allied general counsel, has called a meeting of the organization's board of directors to be held in Pittsburgh next Tuesday. Purpose of the session is to take a further stand on the consent decree in the Government's equity
(Continued on Page 8)

Censor Board to Regiment Motion Pictures in France

Vichy (By Cable)—The motion picture industry in unoccupied France is to be regimented by a board of six censors who will undertake an almost complete reorganization of
(Continued on Page 4)

Shirley Temple Deal With Metro Near Set

The M-G-M deal for the services of Shirley Temple is reported to have been completed after several delays. Reliable sources indicated yesterday that the contract may be signed today, as terms and other conditions have been agreed upon.

THE Film DAILY ALL THE NEWS ALL THIS TIME

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JOHN W. ALICATE : : : : Publisher

DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Thursday, Oct. 17)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seel.	8 1/8	8 1/8	8 1/8	— 1/8
Ccl. Picts. cv. (2 1/2%)	5	5	5	.....
Columbia Picts. pf.	13 3/4	13 3/4	13 3/4	— 1/8
Con. Fm. Ind.	8 3/4	8 3/4	8 3/4	— 1/8
East. Kodak	17 1/2	17 1/2	17 1/2	+ 1/2
do pf.	17 1/2	17 1/2	17 1/2	.....
Gen. T. Eq.	11 1/8	11 1/8	11 1/8	.....
Loew's, Inc.	26 1/4	26	26	+ 1/4
do pf.	8 1/8	8	8 1/8	.....
Paramount	87 1/4	87 1/4	87 1/4	+ 1/4
Para. 1st pf.	9 1/2	9 1/2	9 1/2	+ 1/8
Para. 2nd pf.	11 1/8	11	11	— 1/8
Radio Film	5 1/2	5 1/2	5 1/2	.....
RKO	5 1/2	5 1/2	5 1/2	.....
20th Century-Fox	5 1/2	5 1/2	5 1/2	.....
20th Century-Fox pf.	15 1/2	15 1/2	15 1/2	+ 1/8
Univ. Pict. pf.	2 1/2	2 1/2	2 1/2	.....
Warner Bros.	35 1/2	35 1/2	35 1/2	— 1/2
do pf.	103 3/4	103 3/4	103 3/4	.....

NEW YORK BOND MARKET

Keith B. F. ref. 6546	103 3/4	103 3/4
Loew's deb. 3 1/2% 46	103 3/4	103 3/4
Para. B way 3 1/2%	91 1/2	91 1/2
Para. Picts. 6525	91 1/2	91 1/2
Para. Picts. cv. 3 1/4% 91 1/2	85 3/4	85 3/4
Warner Bros. deb. 6548 85 1/2	85 3/4	85 3/4

NEW YORK CURB MARKET

Monogram Picts.	9	8 1/2
Sanstone Corp.	9	8 1/2
Technicolor	9	8 1/2
Trans-Lux	9	8 1/2
Universal Corp. vfc.	9	8 1/2
Universal Picts.	9	8 1/2

London Opens and Closes Its Pix Theaters Earlier

London (By Cable)—A new schedule of earlier opening and closing of London's film theaters has been put into effect. On week days cinemas will open at 10:30 a.m., and close at 9 p.m. Sundays hours will be from 1:30 p.m. to 7 p.m.

Purpose of the new schedule is to give the public more entertainment and to avoid exposing them to night air raid dangers.

RKO to Handle "Convoy" Expects 300 at SMPE's In North, South America Coast Conclave Monday

London (By Air Mail)—Major Reginald Baker, managing director of the Ealing studios, announces that Michael Balcon's naval production, "Convoy," has been sold, following negotiations with a number of U. S. majors, to RKO Radio for a considerable sum for distribution in North and South America. Several offers, he stated, were turned down as incompatible with the unusual topical interest of the film.

"Convoy," which ran for 10 weeks in the West End of London, will not be released generally in London until Nov. 11. It has had successful pre-releases in Canada and Australia.

Shipments of Panorams To Start in December

Mills Novelty Co. plant in Chicago expects to start regular shipments of Panorams, movie slot machines, to distributors in early December, it was learned yesterday.

Eastern press and trade showing of the machines plus Soundies, produced by James Roosevelt's Globe company, is slated for the Waldorf Astoria's Starlight Roof Monday night.

Fred Mills, prexy of Mills Novelty Co., and a number of executives will arrive from Chicago over the week-end for the showing.

Few In Industry Face Service In Pittsburgh

Pittsburgh—Approximately 75 film distributing and equipment company employees registered for the draft here, but of this number more than half are either married or can claim exemption for other reasons, so that not more than 10 or 12 actually face service. The same condition applies to theatrical organizations, circuits and independents.

High Officials at Debut Of "World in Flames"

Washington Bureau of THE FILM DAILY

Washington—Washington turned out in full force last night for the premiere of Paramount's "The World in Flames" at the Loew Columbia Theater. Justices of the Supreme Court, a large number of diplomats, high officials from all branches of the Government and society leaders comprised the glittering first night audience.

Wier, Dean of Canadian Film Critics, Dies at 82

Halifax, N. S.—Hiram Wier, 82, nestor of Canadian film critics, died suddenly from a heart attack, at his home just after returning from seeing a first-run film. He had been reviewing films for over 40 years. He had gone from the Mail offices to the theater, apparently in his usual good health.

Eastern delegation to the five-day SMPE convention opening Monday in the Roosevelt Hotel, Hollywood, includes Prexy E. A. Willford, George Friedl, J. A. Crabtree, D. E. Hyndman, William Kunzmann, Earle G. Hines, J. E. McCauley, Herb Griffin, Sylvan Harris, E. W. Kellogg, Dr. V. K. Zworykin and Julius Haber. An attendance of between 200 and 300 is expected.

Following registration on opening day, there will be a general and business meeting in the Blossom Room. Reports of Kunzmann, convention v-p., and E. R. Geib, chairman of the membership and subscription committee, will precede the president's address of welcome. Following will be the election of officers for 1940 and the consideration of proposed amendments of the by-laws.

H. S. Dickinson, financial v-p., and Hyndman, engineering v-p., will report. Papers by J. W. McNair, American Standards Ass'n; W. C. Beasley, U. S. Public Health Service; and H. J. Chanon and F. M. Falge of General Electric are scheduled to be read.

Prexy Willford will be chairman of the informal get-together luncheon at which Darryl F. Zanuck, chairman of the Academy's Research Council, and 20th-Fox production head will speak.

D. B. Joyce, chairman of the standards committee will report at the joint session and papers by J. K. Hilliard, D. P. Love, Erpi: S. Read, Jr. and E. W. Kellogg, RCA Manufacturing Co., and Jack Dawn, M-G-M, are to be heard.

A sound session is scheduled for the evening with papers read by C. W. Faulkner and C. N. Bates, RCA; W. E. Kellogg, RCA; I. J. Wilkinson and W. Hamilton, RKO Radio; and D. L. Dupy and J. K. Hilliard, M-G-M.

"Dictator" Biz Keeps Up Record Pace at Capitol

Biz of Chaplin's "The Great Dictator" at the Capitol and Astor on Broadway yesterday was running virtually neck and neck with that which was reported for the first day. Capitol on the first day had an all-time high, attendance hitting 20,813 and receipts, more than \$17,000. Some idea of the rapid pace yesterday may be gleaned from a comparison of the 5 p.m. attendance figure of 11,812 with Wednesday's 12,300. Astor had capacities at both performances, and advance sale was heavy.

Boston Press Greet Laughton

Boston, Mass.—One hundred members of the press of Boston and nearby cities attended a reception party for Charles Laughton at the Ritz Carlton on Wednesday afternoon as the RKO Radio star came here for a personal appearance with "They Knew What They Wanted."

COMING and GOING

WILLIAM F. RODGERS, Metro sales chieftain, leaves Chicago at the week-end for Hollywood.

EDWARD M. SAUNDERS, Western sales manager for M-G-M, returns to New York today from Chicago.

LOU PHILLIPS, Paramount attorney, is in Chicago taking depositions in the La Crosse Theater suit.

A. J. BALABAN has gone to Chicago for the opening of the Glencoe Theater.

HARRY COHN planned in from the Coast yesterday.

MARK HELLINGER and his wife are at the Waldorf.

LESTER KRIEGER, of Warner Philly branch, and MRS. KRIEGER, are at the Warwick.

LEE BOWMAN is stopping at the Pierre.

SABU and JUNE DUPREZ, stars of Alexander Korda's "The Thief of Bagdad," left Warm Springs, Ga., yesterday for Hollywood.

DESI ARNAZ will make a p.a. in Knoxville, Tenn., Oct. 21 in conjunction with the opening there of "Too Many Girls" and will then go to New York.

ROBERT MONTGOMERY arrives here next week from the Coast.

RALPH BELLAMY, MRS. BELLAMY, and MRS. JAMES CAGNEY, are stopping at the Sherry Netherland.

BUDD ROGERS arrives on the Coast this week-end from New York.

NORMAN TAUROG and his wife arrive here next week from the Coast.

HARRY HARVEY has returned to the Coast.

Pix Basic Entertainment In Army for the Present

First indication of the Government's entertainment program for army camps came yesterday when Maids Reade, Equity executive, returned from a Washington conference with the chief of the Army's Morale Division and reported that pictures will be the basic entertainment for the time being.

Miss Reade, stated, however, that she had been told that the Army would work on an entertainment program using live actors on a big scale as soon as the draft has been put in smooth running order and all necessary camps are completely established.



From THE FILM DAILY to	October 18	Ray Coffin
October 18		Eddie Forman
Miriam Hopkins		
Lamar Trotti		
Gene Wonders		
Bob Custer		
H. J. Yates, Jr.		
October 19		
Ray del Ruth		
Helen Turner		
Marie Carlan		
October 20		
Russell Holman		
Marian Nixon		
James H. MacFarland		
Evelyn Brent		
Purnell Pratt		

What Thursday
is Thanksgiving
this year?

Roxy. New York, thought
it was yesterday with...

"DOWN
ARGENTINE
WAY"



!!!

Say U. K. 5 Million Remittance Nixed

(Continued from Page 1)

500,000, 50 per cent of the mean figure of \$35,000,000 set as the average yearly earnings of the American companies, was the sum released last year.

The American distributors, the MPPDA representative and Kennedy concurred in their refusal of the sum offered, it was said. New negotiations are expected to be instigated shortly.

Kennedy will soon leave for the U. S.

Pinanski Again President Of Mass. Allied Theaters

(Continued from Page 1)

Kurtzman and Howard C. Burkhardt, both of Loew's, Inc.

Re-elected officers are Sam Pinanski, president; John H. Devlin, vice-president; Stanley Summer, treasurer, and Joseph H. Brennan, secretary. The re-elected directors are Pinanski, Devlin, Summer, Brennan, M. J. Mullin, Sward Cuddy, Ben Domingo, B. E. Hoffman, Max Melnicoff, John J. Ford, Al Somerby, James H. Doyle, John S. Giles, Walter Brown and Harry McDonald.

"Down Argentine Way" In Fast Roxy Opening

"Down Argentine Way," new 20th-Fox de luxe musical, opened to SRO yesterday at the Roxy. Picture was running well ahead of all recent releases at the theater since the "Rains Came" at 4 p. m., and was only slightly behind the company's top money makers at the house.

20th-Fox-Minn. Amusement Deal

Product deal has been closed by 20th-Fox with the Minnesota Amusement Co. for the 1940-41 lineup. Deal covers some 49 situations and was worked out by W. C. Gehring, Central division manager for 20th.

WEDDING BELLS

Chicago—Ruth Hinz, secretary to Will Bishop, M-G-M exploiter, and Will Potts, M-G-M executive here, were married at the Blackstone Hotel. Reception followed.

Des Moines—Ruth Godden of National Screen Service office here was married to John Gowans of Casper, Wyo., yesterday at Casper.

Harrisburg, Pa.—Laura E. Reed, of the Colonial Theater staff, was married to Earl G. Creamer, Jr.

West Coast Bureau of THE FILM DAILY Hollywood—Lupe Velez and Guinn Williams will be married next month, it is announced.



● ● ● ABOUT as good a barometer as any.....from which to draw the conclusion.....that this industry is going ahead.....with every logical weapon at its disposal.....in order to make the domestic marts pay maximum revenue in 1940-41.....looms in the progress of Metro's idea.....of turning out super-heralds.....in behalf of its product.....in behalf of outlets showing that product.....and in behalf of the customers for such product.....The super-heralds are excellently conceived.....and powerfully executed.....Thus far in the season.....they have been issued.....in support of several of Metro's ace pictures.....which are legion.....including "Boom Town" and "Strike Up The Band".....

● ● ● POINTED proof that Mister Exhib.....is teamworking handsomely with the rest of the industry.....in the drive to boost grosses.....is furnished via the manner in which he is employing the Metro heralds.....to interest the public.....in movie-going.....We don't know the figures.....but we do know that showmen are doubling and trebling orders for these heralds.....We also know that a very considerable amount of coin.....has poured into box-offices.....via these heralds.....coin which might never have been forthcoming otherwise.....

● ● ● SPEAKING of Metro.....let the company's two latest acts of merit.....not go unnoticed.....Elsewhere in your favorite trade paper today.....you'll find that Leo the Lion is gonna distribute "Land of Liberty".....and the film's profits going to charity.....Further, the Metro two-reeler, "Eyes of the Navy".....which came into being, we understand, as the outcome.....of Herb Morgan's keen idea-producing mind.....is geared to perform a splendid service to the U. S. A. plus giving theaters everywhere a marvelously inspiring short.....which will stir audiences to the core.....By and large.....and any way you figure it.....Metro is standing like Horatius at the bridge these days.....fighting the good fight.....in the spirit that this industry.....is everybody's business.....

● ● ● STUFF:.....Didja read that stirring Leonard Allen article, "The Battle of Tin Pan Alley," in the October issue of Harpers?.....Tomorrow night is the "Thief of Bagdad" Costume Ball down Manhattan Beach way,—with gilt-edged Lilian Bond awarding 'bout 300 snackers in prizes for the most unique Bagdad costume (UA has shrewdly hatched all this as part of its big campaign to spotlight and pre-sell the Korda pic).....David O. Selznick answered the appeal of the American Red Cross by being a blood-donor for wounded persons in England,—and thereby wins our famous Order of Applause (with two palms).....Jimmy and Columbia Sileo are week-ending in Atlantic City,—their first vacation this year and a well-deserved one especially after that magnificent coverage they gave the premiere of "The Great Dictator" at the Capitol.....Now it's Ed Wynn's turn to have a Stork Club cocktail party and Sherman Billingsley is tossin' it Sunday from 4 to 7, with celebs. galore.....

Exhibs. Would End Spokane Giveaways

(Continued from Page 1)

William Seale, Orpheum Theater manager, are made defendants.

Complaint filed by R. E. Lowe, counsel for the independents, charges these acts violate the unfair trade practices acts and asks a temporary injunction during the pendency of the action. Hearing will be held next Wednesday.

The independent theaters are the Granada, Bandbox, Rainbo, Unique, Ritz and Empress owned respectively by Howard Amusement Co., W. E. Waverly, Harry C. Luft, A. P. Mitchell, Cecil D. Miller and H. A. Black.

Censor Board to Regiment Motion Pictures in France

(Continued from Page 1)

the industry to "educate and instruct" the people in addition to entertaining them.

Censorship will begin with the preparation of scenarios and continue through actual filming and exhibition. Children under 16 will be prohibited from attending adult films. Film theaters will not be permitted to show more than one feature in an evening, and they are to favor the showing of newsreels (which will be under strict censorship) travel and scientific films.

Simon Libros, Long Ill, Dead in Philadelphia

(Continued from Page 1)

dent Post Renters Association. Locally, he was associated with National Penn Printing Co., and before that with National Kline Post before that company was purchased by Advertising Accessories. He was also active in charitable and liberal movements.

Para.'s "Blood and Sand" Going to 20th Cent-Fox

At an Executive Committee meeting yesterday, Paramount agreed to sell the rights to "Blood and Sand" to 20th Century-Fox. Picture was made originally by Paramount in 1922 with Rudolph Valentino starred.

Singles Found Successful

Chicago—The Hyde Park theater (Schoenstadt circuit), is now running single feature programs with success.

STORKS!

Denver—Born to Mr. and Mrs. Si Saunders, an eight-pound son, Si, Jr. Si, Sr., is booker for Fox Inter-mountain theaters.

Cinema

LODGE NO. 1366 ★ B'NAI B'RITH

FIRST ANNUAL BANQUET and BALL

ALL THIS, AND DINNER TOO!
FOR YOUR ENTERTAINMENT—*IN PERSON*

MILTON BERLE

WILLIE
& EUGENE

HOWARD

TOMMY REYNOLDS

& HIS ORCHESTRA

BENNY FIELDS

SAMMY KAYE

BEVERLY ROBERTS

& HIS ORCHESTRA

BENNY GOODMAN

FRANCES LANGFORD

RED SKELTON

& HIS ORCHESTRA

(First Public Appearance)

MITZI GREEN

ABE LYMAN

ED SULLIVAN

JON HALL

GLENN MILLER

ROMO VINCENT

& HIS ORCHESTRA

PETER LYND HAYES

MOLLIE PICON

ED WYNN

WOODY HERMAN

MARTHA RAYE

HENNY YOUNGMAN

& HIS ORCHESTRA

—plus more and more of the *Biggest names in town!*

THE EVENT OF THE YEAR

\$5 PER PERSON

SEND CHECKS TO

Col. A. Ralph Steinberg, Chairman
101 Park Ave., Room 330, N. Y. C.

HOTEL PENNSYLVANIA

SATURDAY NIGHT at 8—OCT. 26th

ITOA May Ask Congress to Correct Decree Evils

Other Reforms Also May Be Included in Legislation, Says Prexy Harry Brandt

(Continued From Page 1)

terday, "since Mr. Arnold has seen fit to disregard every suggestion made by exhibitors, we feel that we are now at liberty to release our stand."

Inasmuch as Brandt's statement is his interpretation of the decree provisions and represents his organization's approved analysis of the terms, the statement is reprinted herewith almost in its entirety:

Was Statement of ITOA's Views

"Abram Myers asks me as head of a buying combine how I stand on provisions of the decree other than the clause providing for the sale of pictures in blocks of five. First, let me tell Mr. Myers that the opposition I expressed to the consent decree was as president of the ITOA, on behalf of that organization, and not as an individual. In addition, the ITOA had passed unanimously on the objections offered to the decree.

"However, speaking for myself at this particular moment, the theater owners who buy their film through my office do so as a measure of protection—for individually most of them would be out of business if they did not have the opportunity of buying en masse. If the blocks of five is accepted, they will need more protection and if I can give them that protection I am going to do everything in my power to do so.

"So far as the other provisions of the consent decree are concerned, Mr. Arnold and members of his department have been in receipt of the ITOA's criticism for some time.

Says Allied Objects

"In doing so, we would like to ask Mr. Myers why he doesn't query the units of Allied all over the country on why they object to the consent decree—which, in practically every case, they do. The objections of his own members, evidently, do not interest him.

"If the arbitration clauses as written are accepted and the blocks of five eliminated, then independent exhibitors would be able to stand on their own feet and combines would not be needed. Our stand on the blocks of five has been so strong that even Myers must know what it is. So far as the other provisions are concerned, here are our criticisms and I venture to say that they are stronger than Myers'—whose objections I have yet to hear—

"**FORCING SHORTS:** This is one of the major evils of the industry, resulting as it does in the machine-like production of worthless product which must be purchased by exhibitors at great expense. Certainly there should be no equivocation in the language used to eradicate this evil. I merely suggest that the

Consent Decree Negotiations Continuing Today; Seeking Satisfactory Arbitration Rules

Negotiations on the proposed consent decree will continue today with attention still centered on formulating arbitration rules satisfactory to the demands of the American Arbitration Association, the Government and the five negotiating companies. Government officials at the close of yesterday's conference stated that they were unable to say whether the decree will be completed by Tuesday's slated hearing, but that they still hoped to finish before that date.

language be made more inclusive to declare that by no subterfuge, device or system, nor by any scheme of tying in, should the purchase of features be conditioned upon the purchase of shorts. I feel that under the present language it may be possible for distributors to sell features at a different price predicated upon whether shorts are purchased.

Greater Protection for Indies

"Additionally, the independent exhibitor, who is the only one upon whom shorts are forced, should be given greater protection. I feel that immediately upon any exhibitor making claim that shorts have been forced, the contracts with respect thereto should be held inoperative and the exhibitor should be under no obligation to perform, nor liability for failing to perform prior to a determination by the Board of Arbitration. This is not unreasonable, for when the charge of forcing shorts is made, I question whether there will be any occasion upon which the charge cannot be substantiated, since there is no reason for an exhibitor making the charge if he has voluntarily purchased the shorts.

"By making the contracts inoperable immediately, the exhibitor will not have to comply with such contracts during the delays incident to arbitration and will be able to make contracts for the shorts actually desired. If the claim of the exhibitor, however, is dismissed, then the contract complained against should be held operative and at that time obligation placed on the exhibitor to pay for such shorts and comply with the contract. The very least that should be decreed is that if an exhibitor has been forced to comply with the contract pending arbitration, the fees paid for such shorts should be refunded in the event that the exhibitor is successful in his claim.

"**CANCELLATION FOR CAUSE:** Again it seems that the industry is presenting propositions to independent exhibitors with tongue in cheek, for a provision permitting an exhibitor to cancel a picture on moral grounds not later than seven days after a contract has been executed is valueless. Either the industry honestly wishes to pamper the public's desires on this question and relieve an exhibitor of the burden of paying for the mistakes of the producer or it does not.

Availability as Dividing Line

"In rare instances can the offensive nature of the picture be determined within seven days after a contract has been executed. If such

a picture is produced, it will probably not even be released. In actuality, since a picture will not be available until months after execution of the contract, at the latter time the picture may have been deemed proper, and yet on availability incidents may have developed making it improper. It is clear that availability should be the dividing line.

"**V. ARBITRATION OF CLEARANCE DISPUTES:** This provision should clearly empower the Board to eliminate all clearance and permit competing theaters to play day and date. Unless so stated, this provision will be interpreted by distributors before arbitration boards as meaning that some clearance must be maintained however much it may be reduced. A simple statement that all clearance may be eliminated by the Board will adequately state the Board's power.

"**VI. REMEDY FOR DISCRIMINATION AGAINST INDEPENDENTLY OPERATED THEATERS:** This is as a result of this section that doubt is cast upon the good faith of distributors who, in the language of this provision, give lip service to their desire to alleviate conditions in the industry, but clearly demonstrate by restrictive conditions a lack of interest in real alleviation of the evil. Preliminarily, I wish to state that instead of the involved language of the section there should be a clear, simple statement that any exhibitor has the right to demand a better run and to submit the matter to arbitration. A simple proposition such as this should not require an involved statement with many modifying clauses permitting of differing interpretations. The language of this section clearly reflects the lack of suggestions by exhibitors.

Says Indie Definition Absurd

"Preliminarily, I wish to state that the definition of an independent exhibitor is absurd, for an independent exhibitor is solely one who is not affiliated with any distributor or producer by reason of which lack of affiliation he is unfavorably discriminated against. The mere number of theaters owned by an independent exhibitor in most cases is of no consequence if there is no affiliation with a distributor or producer. However, the problem is easily solved without the necessity of establishing a rule of thumb which may be too inclusive under certain conditions or exclusive in others. In the light of the complete knowledge of the industry, which all those concerned in

Exhib. Leader Declares Arnold Has Ignored All Theater Men's Requests

the case have, the decree should set forth by name those exhibitors who are deemed affiliated exhibitors, either by reason of direct or indirect affiliation with a distributor or producer, or because the power of such exhibitor for whatever reason places him in a favorable position. Any exhibitor who wishes to contest the designation as an affiliated exhibitor may resort to arbitration when necessary. All exhibitors not so named are to be deemed independent exhibitors.

"The definition of an independent exhibitor presently used would deny to many legitimate independent exhibitors the benefits of the decree. A list of affiliated exhibitors would be simple and would work no injustice.

Affiliates Defined

"The artificial designation of an affiliated circuit as one which has more than 15 theaters is unwarranted. There are many combinations, associations and interlocking relationships of independent theaters in excess of 15 theaters. They are certainly not affiliated in any industry interpretation of the word. Conversely, there are groups of less than 15 theaters which are affiliated. The question is not the size of the operation but solely theater against theater. I likewise see no merit in the requirement that the complainant's theater must prove a lack of sufficient product. The question involves not a determination of what the theater has but what it is entitled to. If it is being discriminated against the question should not be one of degree but of righting a wrong.

Arbitration Restrictions

"Finally, we come to the attempt to completely restrict the right of an exhibitor to arbitrate the question of run. The dividing line which has been set up is one which completely emasculates the strength of the provision and permits of the inference of an absolute lack of good faith in its suggestion. The provision in general provides that unless a theater has been owned or operated between July 20, 1935, and July 20, 1940, and unless during such time written request has been made for a better run, relief cannot be granted.

"Has the adoption of this date as a dividing line been prompted by the fact that prior to 1935 many exhibitors, under the National Recovery Act attempted to arbitrate the question of a better run, and upon the fall of such act in 1935 ceased such efforts, deeming the same to be hopeless and futile? I have been unable to determine any other reason for adopting July 20, 1935, as a dividing line.

"Certainly, the mere fact that an

(Continued on Page 7)

May Ask Congress To Corred Decree

(Continued from Page 6)

exhibitor has relied solely on oral protestations, has lost his written demand, or has made no demand for fear of retaliation by distributors, should not bar him from the right to arbitrate presently. The question is solely whether or not the right to a better run presently exists. To impose such arbitrary restrictions and conditions on the right to arbitrate the question of run is to stultify the whole intent of the Decree and, as may have been desired, to preclude the possibility of a determination in many worthy instances.

Asks Clarification

"I venture to say that the conditions imposed preclude arbitration in 90 per cent of affected situations. I suggest that the criterion of the possibility of the production of revenue in the determination of the validity of the run should be clarified to state that the revenue produced by the theaters individually shall be considered regardless of their connections with other theaters, in order to prevent the revenue paid by a theater for a film being arbitrarily increased by a chain exhibitor as a result of the ability of the chain exhibitor to make up such increase in other theaters.

"I also suggest that the financial responsibility of owners and operators as a criterion for the fixation of run should be clarified to provide that such exhibitor shall merely establish a financial ability to meet the contracts requested. The financial responsibility of a circuit as against an independent exhibitor should not be the criterion."

Picture Pioneers Admit 5 More to Membership

(Continued from Page 1)

are Al Lichtman, Walter Reade, Moe Silver, William J. Gans and Walter Futter.

For the purpose of speeding up the preparations for next Thursday's Fall get-together, "Circus Night At The Astor," Jack Cohn, House Manager, appointed Jack Alcoate as Chairman of the Initiation Committee and Marvin Schenck, Chairman of the Entertainment Committee.

On Gridiron Dinner Com.

Chicago—W. K. Hollander, B. & K. publicity director, Emmett C. Carlson, NBC, and E. D. Butler, Station WLS are members of the Gridiron Dinner committee. Event will be held at the Stevens Hotel tonight.

Polio Closes Wis. Theaters

Milwaukee—New outbreaks of infantile paralysis in several spots around the state have resulted in quarantine orders being issued in Mayville and Bloomer, closing theaters.

And No Need, Either, For Wind Machines. . .

Chicago—Mayor Edward J. Kelly has telegraphed Cecil B. DeMille an invitation for Hollywood studios to shutter and for production to move back to Chicago, where the first big studio was erected by the Essanay company back in 1907. The Mayor offered 21 acres of land, known as Ligar Park, if his suggestion were adopted. He outlined the great advantages the Windy City affords producers, omitting, however, the following assets: movie cowboys could use the Loop; animal pictures could be made at Stag Field; and educational film-makers could make scenes of Cicero.

DeMille is due here Thursday for the NWMP opening.

Wall St. Forecasts \$2 For Para. Com. Shares

(Continued from Page 1)

yesterday that he did not know what the final figures would approximate, but did not deny the Journal's figures.)

Wall Street sources indicate that Paramount's third quarter earnings will be above the 48 cents a share on the common reported for the June quarter. This means that the net for the first nine months of 1940 will be around \$1.50 a share.

With the studios now operating at a profit and a general increase in efficiency, the company's cash position is reported to be the best in years, having about \$12,000,000 on hand, not including more than \$4,000,000 held by non-consolidated subsidiaries.

Syracuse Exhibs. Vote State MPTO Affiliation

(Continued from Page 1)

ity of local indie exhibs. at the Hotel Syracuse here yesterday. Action was unanimous.

Sidney Grossman as temporary secretary was instructed to ask A. Charles Hayman of Buffalo, MPTO prexy, to set Oct. 31 as the date for a second meeting to perfect organization, elect officers and receive applications from exhibs. in the Syracuse zone.

Kaplan Joins Lee Goldberg

Cincinnati — Nat Kaplan, Paramount salesman for 14 years, has resigned to manage the Cincinnati office of the Producers Releasing Corp., in association with Lee Goldberg. Goldberg is leaving Cincinnati to manage the Cleveland office and will take up residence with his family there. Kaplan has taken over a share of the franchise in the PRC in partnership with Goldberg.

Vaude Clicks in Rochester

Rochester—The return of stage shows here has been getting a big reception at the RKO Temple.

St. John Organist Dead

St. John, N. B.—Emmeline Miles Ibbott, 66, theater organist, and radio and concert pianist, is dead.

Step Right Up! Picture Pioneers Circus Night

#

**NEXT THURSDAY
HOTEL ASTOR**

#

**"THE GREATEST
SHOW ON EARTH"**

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Reservations Now

**Picture Pioneers, Inc., 729-7th Ave.
(Room 604)**

#

**SIDE SHOW OPENS
AT 7 P. M.**



Metro Distributing "Land of Liberty"

(Continued from Page 1)

its customers, Rodgers told his audience that indie theater owners were the backbone of the company's business. They had, he said, his assurance that its friendly policy would be continued.

He called for exhibitor support of quality films, and said that exhibitors would find the public supporting them.

Rodgers reiterated that Metro had no rigid budget or production plans, observed that there were departmental economies, but added that there would be no sacrifice of quality in future productions.

Stressing again the loss of foreign revenue, he said it must be met by greater returns in this country and in others not at war.

Metro's sales head urged theater owners to give attention to the company's plans offered in a spirit of co-operation with a view to maintaining film quality and attendance. He observed that competition from radio and sports was severe.

Rodgers emphasized that top films should have longer playing time, and said increased admissions were justified in many instances. As to "Boom Town," he said it was up to the exhibitor to determine whether it should be played at tilted prices. In any event, he added Metro would not discriminate in bookings.

Asserting that the time had arrived to put aside petty grievances, to forget past differences and to work for the common good, Rodgers cited the success of the Pacific Coast Conference setup for the adjustment of industry disputes.

Finally, Rodgers saw the triples and duals issue here as strictly one for local settlement by theater operators, also he assured Metro would co-operate at all times.

Among out of town guests at the luncheon were Ray Moon, Carl Buermele, Detroit; Sam Switon, Louisville; Eddie Rubens, Minneapolis; George Kerasates, Springfield; Tom Baker, C. C. Wallace, W. W. Wilman, Indianapolis.

Canadian Stations Will Cover NWMP's Premiere

Regina, Saskatchewan—World premiere of Para.'s NWMP at four theaters here Monday will receive full radio coverage via Stations CKK and CJRM.

Williams Sells to Gilbert

Detroit—Bert Williams, president of Allied Film Exchange, new Detroit independent, has sold out his interest to H. Vinton Gilbert, who will continue as manager. Williams is leaving for St. Louis today to open a new independent exchange there.

Perfumed Ink for Ads in Harrisburg Bow, But They're Not for Exhibs, Says Rogers

Harrisburg, Pa.—John F. Rogers, manager of the State Theater, is not so keen on an innovation in newspaper advertising introduced in Harrisburg for the first time this week in The Evening News and The Patriot.

The new type of ad used by a local jewelry firm featured a large red rose, printed with perfumed ink, announcing the concern's 51st anniversary. The ink is infused with a heavy rose fragrance, noticeable on turning the page on which the ad appears.

Rogers said theater men would do well to keep from advertising their product through perfumed ink.

"The idea would be swell if all pictures were first rate," Rogers commented, "but it makes me shudder to think of some of the 'perfumed' smells we would have to use for those films which are not so good."

Brandt Urges Staffs To Plug Sub.-Runs

(Continued from Page 1)

exploitation staffs do a great job in putting over the first-runs but no support is given to pictures when they hit the subsequents. A staff which knows and understand neighborhood theater problems would be a great help in getting more revenue from that type of theater.

Brandt's address mainly was in the form of good-natured kidding of the industry.

Joe E. Brown scored a direct "hit" in his extemporaneous speech which was in both a light and serious vein, while Garson Kanin's account of his first experiences in Hollywood was received with equal enthusiasm.

Take Depositions in Chi. On LaCrosse Thea. Suit

Chicago—Lou Phillips, Paramount attorney and members of his staff are here taking depositions in the La Crosse Theater suit against major distributors charging conspiracy and monopoly. Trial is set in Federal Court here for Oct. 21. Harold Wilks of Madison, Wis., and Joseph Finlay of Minneapolis are here assisting Phillips. Robert Hess is attorney for the LaCrosse Theater Co.

Witnesses examined yesterday were D. Romey, Great States booker, and Harry Rubens of Joliet. To be examined today are Jules and Eddie Rubens, Great States execs.

Two Air Plugs for "Zorro"

Plans have been completed by 20th-Fox for a broadcast of "The Mark of Zorro" on the Kate Smith hour and a Vox Pop air show to highlight the world premiere Nov. 1 at the Albee and Shubert theaters, Cincinnati. Two radio programs will emanate from Cincinnati. Tyrone Power, star of the film, will also make a p.a. at the premiere.

Perer Opens In Pittsburgh

Pittsburgh, Pa.—The new 500-seat Park Theater has opened. The owner, Herbert Leonard Perer, is an industry newcomer.

Select Lineup to Ochs

Cleveland—Charles Kranz, president of Select Attractions, Inc., has closed a deal with Herbert Ochs to distribute the U. S.-made Select product in the Cleveland and Cincinnati territories.

Allied Board Will Set Decree Course

(Continued from Page 1)

suit and to set up a course of action when it becomes effective.

Board meeting originally was to have been withheld until the decree had been approved or rejected by Federal Judge Goddard, but because of the annual Variety Club banquet scheduled for Sunday night and the annual convention of the Western Pennsylvania Allied unit starting the next day, it was decided that this was the most opportune time to hold the board parleys.

Variety Club banquet is expected to draw more than 1,000 persons from both Coasts, including top names in the entertainment world and political fields.

UA Sets More "Bagdad" "Showmen's Previews"

Alexander Korda's "The Thief of Bagdad," is being given more "showmen's previews" today and Sunday by UA.

Today's previews are at the Fine Arts Theater, Detroit; the Rialto, Pittsburgh; the Forrest, Cincinnati; Egyptian, Seattle; Tower, Milwaukee; Esquire, Chicago; St. Louis Park, Minneapolis; Dundee, Omaha; Roger Sherman, New Haven; Brookside, Kansas City; Loew's Valencia, Baltimore; Uptown, Boston; Shea's Niagara, Buffalo; and the Southeast, Salt Lake City.

Sunday's preview will be at the Carolina Theater, Charlotte.

Tom Mix Estate Divided Between Widow, Daughter

West Coast Bureau of THE FILM DAILY

Hollywood—The will of Tom Mix, recently killed in an auto accident, leaves an estate of undisclosed value to his widow, Mabel Hubbel Mix, and one of his daughters, Mrs. Thomasina Mix Matthews. His other daughter, Ruth Mix Knight of Texas, is independently wealthy, according to Mix's attorney.

RKO Closes Kallet Deal

Oneida, N. Y.—The Kallet Circuit has booked RKO Radio's 1940-41 product. Fifteen theaters are involved in the deal in which RKO Radio was represented by Branch Manager B. G. Kranz.

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD

COMPETITION for the world premiere of Warners' "Santa Fe Trail" has assumed greater scope with Topeka, Kansas; Independence, Missouri; Ft. Leavenworth, Kansas; and Harper's Ferry, West Virginia, all turning in requests for the first showing. The first three towns were pivotal points on the Santa Fe Trail. John Brown and Harper's Ferry play a large part in the picture. Studio is now mulling the four sites and considering possibility of quadruple premieres.

Local merchants in each town have been behind individual petitions, with move directly attributable to financial success of the South Bend junket on "Knute Rockne—All American."

OUR Passing Show: Sol Lesser, Harry Cohn, Earl Carroll, Hal Roach, John Twist, Al Vaughn, George R. Bilson at the preview of "The Great Dictator"; Sol M. Wurtzel, Lynne Overman, Al Ritz, Warren Hymer, Maxie Rosenbloom, Walter Kane, Frederick Stephanie, Lou Ostrow, Rubie Wolf, Robert Ellis, Victor Heerman, Lawrence Hazard, Richard Flournoy, Sidney Lanfield, William Cameron Menzies, Ned Washington, Ben Bard and Harry Sauber watching the Hollywood Bears and Los Angeles Bulldogs in action.

LUCIA CARROLL and Cornell Wilde have been assigned featured roles in Warner Bros.' "She Stated Kissed," which goes before the cameras Monday under the direction of Ben Stoloff.

SAM NATHANSON, who controls the entire West Coast on product from Producers Releasing Corp., is in Seattle to open a new branch. He recently appointed William C. Riter as sales manager of his Los Angeles exchange.

ROBERT BUCKNER has turned in his final script on the Charles Nordhoff-James Hall novel, "Out of Gas," to Hal E. Wallis, Warner Bros. executive producer. Feature is on coming season's schedule. Buckner has checked off the lot for a short vacation.

"MAISIE WAS A LADY," starring Ann Southern, has started production at Metro. Edwin L. Marin is directing and the cast includes Lew Ayres, Maureen O'Sullivan, Rita Johnson, C. Aubrey Smith, Henry O'Neill, Edward Ashley, Joe Yule and Edgar Dearing. J. Walter Ruben is the producer.

FRANCIS McDONALD and Walter Baldwin have been added to the cast of Columbia's "The Lone Wolf Keeps a Date," sixth of the series. Warren William is again seen as Lanyard.

"MAGIC IN MUSIC" has been set as the final title of Paramount's musical romance about young musicians, previously known as "There's Magic in Music."

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 79

NEW YORK, MONDAY, OCTOBER 21, 1940

TEN CENTS

DECREE'S ARBITRATION CODE COMPLETED

Para. Will Battle Pa. Ban on "World in Flames"

THE WEEK IN REVIEW

Decree to Congress?

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: Major development in the equity suit was the statement by Harry Brandt, ITOA prexy, that his organization is prepared to appeal to Congress to correct the evils of the decree if it is found injurious to ITOA members. . . . Court was advised agreement on the decree was near. . . . Committees to administer arbitration under the decree were considered during the week. . . . Tri-State exhibs. attacked the blocks of five provision.

GWTW: It was reported that Metro may ask 50-50 terms on "Gone With the Wind in 1941; also that it might eliminate the guarantee of 10 per cent profit provision prevailing this year.

THIS AND THAT: Dramatists Guild okaved amendments in its pact with film producers, with an arbitration plan under discussion. . . . Newsreels ask the Army to censor their product in New York instead of Washington. . . . Warners estimate a gross of \$3,000,000 on "Knute Rockne". . . . Sam E. Morris returns to Warner Bros. as an aide to Joseph Bernhard. . . . Arthur W. Kelly is made head of domestic distribution at UA. . . . Del Goodman, 20th-Fox Far East manager, resigns, as does Arch Reeve, advertising manager. . . . Harry Brandt urges publicity staffs to plug subsequent-runs. . . . Million in film coin seen going to radio stations to plug pix, Metro, Para, and UA having set the pace. . . . New wage-hour ruling was seen as a help to the film industry. . . . UA reported to squawks on the 70-30 "Great Dictator" terms, with the picture doing and office biz. at both Astor and Capitol. . . . Orange Theater Co., Newark, filed suit for \$450,000 in fees against the majors.

FOREIGN

GENERAL: U. S. distribs. were reported to have refused British offer of \$5,000,000 of remittance money for next year.

Ready to Carry the Case Through Highest Courts, Declares Neil F. Agnew

Paramount will go to the mat with the Pennsylvania State Board of Censors over the latter's ban on "World in Flames" and is prepared, if necessary, to fight the case through the highest courts in the country.

This was announced by Neil F. Agnew, company's vice-president in charge of distribution, who disclosed the action of the Keystone State's censors following receipt of a re-

(Continued on Page 3)

Bergman to 20th-Fox As Reeve Successor

Appointment of Maurice A. Bergman as advertising manager for 20th Century-Fox in New York City was announced on Friday by Charles E. McCarthy, the company's director of advertising and publicity.

Bergman, who succeeds Arch Reeve, whose resignation was an-

(Continued on Page 8)

11 Technical Sessions On SMPE Parley Program

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood — With the program calling for 11 technical sessions at which nearly 50 papers by leading industry technical experts will be

(Continued on Page 6)

Mono. As Selling Agent?

Report Company Dropping Own Production

Warners to Start Nine In Next Three Weeks

West Coast Bureau of THE FILM DAILY
Hollywood — Warners, with nine pictures slated to go into production in the next three weeks, is swinging into its heaviest cycle of winter activity.

Four pictures start today—"Footsteps In the Dark," starring Errol

(Continued on Page 8)

Hams and Sausage as Quiz Contest Prizes

Chicago—Essaness's American Theater will inaugurate a series of "Little Oscar Quiz Shows" Thursday and Friday in a tie-up with Oscar Mayer & Co. meat packers, with circuit's Broadway Strand, Crown and Town Theaters to follow. Contests will be conducted from the stage by means of portable mikes. Prizes will be bacon, sausage and hams.

GWTW Leaves Chicago With \$900,000 Gross

Chicago — GWTW finally faded from the Windy City scene over the week-end after 39 weeks at the Woods Theater, a record for the Essaness house. Film also had 16 weeks at the Oriental to its credit.

While the gross of the David O. Selznick production locally has not been announced, it is said to approximate between \$850,000 and \$900,000.

The Woods today reverts to its old policy of 7:45 a.m. to 2 a.m. continu-

(Continued on Page 8)

75c Minimum, \$1.65 Top For "Dictator" In Chi.

Chicago—The United Artists exchange and Balaban & Katz have set the admission prices for the run of "The Great Dictator," which starts Oct. 31 at two of the B & K Loop houses. The Apollo theater, which will have the two-day run, will

(Continued on Page 3)

Main Body of Decree Itself Also Said Finalized; Code Clings to Published Form

The Code of Arbitration to accompany the proposed consent decree in the New York equity suit was completed Friday, it was learned at the close of a meeting held that day between the five negotiating companies, Government attorneys, and representatives of the American Arbitration Association.

It is also understood that the main body of the decree has been completed.

The Code, it was said, follows closely the rules or arbitration which the Association has formulated for other industries. No substantial changes from the outline published

(Continued on Page 3)

RKO Exhib. Contest Has \$15,000 Prizes

Cash awards totalling \$15,000 are to be distributed among U. S. and Canadian theater managers who turn in the best campaigns on "Little Men," RKO's forthcoming picture. In announcing the contest, S. Barret

(Continued on Page 6)

Over 1,000 Attend Pitts. V. C. Banquet for Latta

Pittsburgh—From all over the country they came, almost 1,100 men from the theatrical, film distribution, professional, political and in-

(Continued on Page 6)

"Rockne" in Record At New York Strand

Hitting a gross of \$7,732 on Friday, with the week-end total estimated at \$31,400, "Knute Rockne—All American" ran ahead of "The Fighting 69th" at the New York Strand to give the house a new high figure for the current film-stage policy. Warners reported last night. New film had a slight price advantage over "69th" due to the dime increase in the lower brackets, but this dime includes the Federal tax, it was pointed out. Police reserves were required Friday to handle the b.o. surge. House added extra shows, doing six Saturday, five yesterday, the limit.



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DONALD M. MERSEAU : : : : : General Manager
CHESTER B. BAHN : : : : : Editor

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FINANCIAL

(QUOTATIONS OF FRIDAY, OCT. 18)

NEW YORK STOCK MARKET					
	High	Low	Close	Net	Chg.
Am. Seat.					
Col. Picts. vtc. (2 1/2%)	5	5			
Columbia Picts. pfd.	197 1/2	197 1/2	197 1/2	+	1/4
Con. Fm. Ind.	3 1/4	3 1/4	3 1/4	+	1-16
Con. Fm. Ind. pfd.	8 3/4	8 3/4	8 3/4	+	1/2
East. Kodak	136	135 1/2	135 1/2	+	1/2
do pfd.	11 1/2	11 1/2	11 1/2	+	3/8
Gen. Tel. Eq.	26 3/4	26 3/4	26 3/4	+	3/8
Warner Bros.	26 3/4	26 3/4	26 3/4	+	3/8
do pfd.					
Paramount	8 3/4	8 1/4	8 1/4	+	1/2
Paramount 1st pfd.	91	89 3/4	91	+	3/4
Paramount 2nd pfd.	9 3/4	9 1/4	9 1/4	+	1/2
Pathe Film	10 1/2	10 1/4	10 1/4	+	1/2
RKO	2 1/2	2 1/2	2 1/2	+	1/4
RKO 35 pfd.	35	35	35	+	1/2
20th Century-Fox	6	5 3/4	5 3/4	+	1/4
Univ. Pict. pfd.	2 1/2	2 1/2	2 1/2	+	1/4
Warner Bros.	2 1/2	2 1/2	2 1/2	+	1/4
do pfd.					

NEW YORK BOND MARKET					
Keith B. F. ref. 6 1/2%	102 3/4	102 3/4	102 3/4	+	1/8
Loew's deb. 3 1/2%	103 3/4	103 3/4	103 3/4	+	1/8
B. Way 3 1/2%	47	47	47	+	1/8
Pict. Picts. 6 1/2%	92 1/4	92	92 1/4	+	1/8
Warner Bros. dbs. 6 1/2%					

NEW YORK CURB MARKET					
Monogram Picts.					
Sonotone Corp.					
Technicolor	9	8 3/4	8 3/4	—	1/4
Trans-Lux					
Universal Corp. vtc.					
Universal Picts.					

Execs. Join MP Associates

Nate J. Blumberg, Sam Rinzler, John J. O'Connor and Leo Justin have become members of Motion Picture Associates, it was announced Friday by president Jack Ellis at a luncheon at Toots Schorr's restaurant. The association executive committee will meet this week with John H. Harris, president of the National Variety Club, to discuss an affiliation of MPA with that organization.

The Broadway Parade

Picture and Distributor	Theater
The Long Voyage Home (United Artists-Wanger)—2nd week	Rivoli
They Knew What They Wanted (RKO Radio Pictures)—2nd week	Music Hall
The Great Dictator (United Artists-Chaplin)—2nd week (d)	Capitol
Arise My Love (Paramount Pictures)	Paramount
Knute Rockne—All American (Warner Bros. Pictures)	Strand
Down Argentine Way (Twentieth Century-Fox)	Roxy
Quarterback (Paramount Pictures)	Criterion
Captain Caution (United Artists-Roch)	Globe
So You Won't Talk (Columbia Pictures)	Rialto
The Last Alarm (Monogram Pictures) (a)	Central
Oklahoma Renegades (Republic Pictures) (a)	Central
Great Train Robbery (Columbia Pictures) (a-b)	Palace
The Great Profile (RKO Radio Pictures) (a)	Palace
Time in the Sun (World Pictures)—4th week	5th Ave. Playhouse
Here is Ireland (Irish-American Film Corp.)—4th week	Belmont
The Fight for Life (Columbia Pictures)—2nd week	Bryant
The Fugitive (Universal Pictures)	Little Carnegie

◆ TWO-A-DAY RUN ◆

The Great Dictator (United Artists-Chaplin)—2nd week. Astor

◆ FOREIGN LANGUAGE FEATURES ◆

The Baker's Wife (The Baker's Wife Co.)—3rd week. World
The Cabinet of Dr. Caligari (Jessel Productions)—2nd week (e). 55th St. Playhouse
Carmen (Manes) 48th St. Theater

◆ FUTURE OPENINGS ◆

The World in Flames (Paramount Pictures)—Oct. 23	Criterion
Meet the Wild Cat (United Artists)—Oct. 23	Rialto
Colorado (Republic Pictures)—Oct. 23 (a)	Central
Many Plane (Producers Exchange)—Oct. 23	Central
A Dispatch from Reuters (Warner Bros. Pictures) (c)	Strand
Northwest Mounted Police (Paramount Pictures-DeMille) (c)	Paramount
The Westerner (United Artists-Goldwyn) (c)	Music Hall
Christmas in July (Paramount Pictures) (c)	Rivoli
No Time for Comedy (Warner Bros. Pictures)—Oct. 24 (a-b)	Palace
Gay Caballero (Twentieth Century-Fox)—Oct. 24 (a)	Palace
Heritage (French Films Import)—Nov. 4	Belmont
The Mark of Zorro (Twentieth Century-Fox) (c)	Roxey
Glamour for Sale (Columbia Pictures) (c)	Bryant
From Maelstrom to Sarajevo (Leo Films)—Oct. 30	Little Carnegie

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous, unreserved. (e) Revival.

"Tugboat Annie" Premiere Doubles Tacoma Populat'n

Tacoma, Wash.—This city's first world premiere of importance, the opening of Warner's "Tugboat Annie Sails Again" at the Music Box, Roxy and Blue Mouse Friday to the accompaniment of p.a.'s by Marjorie Rambeau, Alan Hale, Donald Crisp and Ronald Reagan, is credited with virtually doubling the normal population of about 100,000.

Bally had all the trimmings, plus some new ones, including an arrival of the Hollywood delegation by tugboat from Steilacoon. A flotilla of some 250 craft plus 25 planes from "a" kinds field served as escorts.

A marine spectacle, cocktail party and banquet were on the crowded program, plus dedication of a Tugboat Annie memorial plaque.

On Saturday, a special show was held at the Roxy Theater for 1,700 underprivileged children. Stars appeared at this show, following which they left for Los Angeles.

Murtha Again Prexy Of N. Y. Labor Council

Thomas Murtha, executive secretary of Local 4, Brooklyn stagehands, was re-elected last week as president of the Central Trades and Labor Council of Greater New York to serve for another year. Murtha was unopposed for his second term in that post.

Continue Work This Week On DG Pact Amendments

Committee working on the proposed amendments to agreement between the Dramatists Guild and film companies will hold another meeting this week to work out final details of the pact. Meeting was also held Friday. The DG membership meeting to vote on the pact will be held Nov. 12.

Trading In B & K Common Again Active In Chi.

Chicago—Balaban & Katz common, traded over the counter, recently inactive, is now being quoted, bid 52, offered at 56, a four point spread.

Rep. Closes With M & P

Republic has concluded a deal for its 1940-41 product with the M & P Theaters in Boston. M. J. Mullin and Philip Seletsky represented M & P Theaters, and J. R. Grainger, president of Republic Pictures, and M. E. Morey, Boston branch manager, acted for Republic.

COMING and GOING

SIDNEY R. KENT, 20th-Fox proxy, is scheduled to return to New York sometime next week.

HERMAN WOBBER, general manager of distribution for 20th-Fox, flies to the Coast shortly.

WILLIAM WILKINSON, publisher of the Hollywood Reporter, is here from the Coast.

HARRY TAKIFF, assistant to Columbia, vice-prexy Jack Cohn, flies to the Coast Friday for a vacation.

WILLIAM J. KUPPER, Western division manager for 20th-Fox, leaves for the Coast shortly.

LOU WEINBERG, in charge of circuit sales for Columbia, left the home office on Friday for Pittsburgh and will visit Cincinnati on business before returning to New York next Thursday.

CHARLES LAUGHTON arrives in Kansas City Thursday, with subsequent visits to St. Louis, Oklahoma City, Seattle and Portland scheduled.

I. LINCER, traffic manager for 20th-Fox, MRS. LINCER, JAN KIEPURA and DR. EMANUEL STERN, medical director for Paramount, and MRS. STERN, sailed Saturday on the America for a West Indies cruise.

JIMMY DURANTE left the Coast at the weekend for New York to talk over appearing in a new Broadway play.

HUNT STROMBERG, M-G-M producer, is a New York visitor.

J. CAROL NAISH was in Chi. for a p.a. at the week-end.

JACK OAKIE and MORRIS SMALL spent the week-end in Miami.

MAX SIEGEL leaves the Coast tomorrow for New York to start rehearsals of "World Premiere," stage play which he will produce.

THOMAS P. LOACH, Monogram vice-prexy, has arrived at the Coast to make his headquarters.

EARL CARROLL was due in yesterday by plane from the Coast to buy some of the World's Fair fountains for his new revue.

GEORGE ANTHEIL, composer, is back in Hollywood after a trip to New York and Louisville.

JIM CARROLL, brother of Earl Carroll, has gone from the Coast to Washington to assume his rank as Major.

JOHN LEROY JOHNSTON, of Walter Wanger Productions, is stopping at the Warwick.

CHARLES VIDOR arrived here from the Coast on Saturday via Stratoliner.

PAULETTE GODDARD will attend the Chicago premiere of "Northwest Mounted Police."

MERVIN HAUSER is in Chicago from the Coast working on NWMP exploitation.

ARTHUR FREED, M-G-M producer, is here from the Coast with a print of "Little Nellie Kelly."

FRANK ORSATTI made a quick round trip to Chicago over the week-end.

SAMUEL BRONSTON has returned to the Coast.

Rochester Embassy Reopens

Rochester—The Embassy Theater has reopened with films after being dark since last Spring.

"Happy Birthday to You"



From
THE FILM
DAILY to
Groucho Marx
Josephine Lovett
Lloyd Hughes
Don Hancock

Para. to Battle Pa. Ban on "Flames"

(Continued from Page 1)

port from Earle W. Sweigert, Para.'s branch manager in Philly.

It was the second time recently that the Pennsylvania censors, headed by Mrs. Edna R. Carroll, have turned thumbs down on a feature. First to get the official nix was the M of T's "The Ramnarts We Watch," the specific objection being to its Nazi-made "Baptism of Fire" footage. Time, Inc. and RKO have taken the issue to the courts.

In refusing to license "World in Flames," the Pennsylvania board again fell back upon the statutory phraseology, saying, "In the judgment of the Board, this picture has a tendency to corrupt and debase morals, and it is not proper."

Agnew, asserting he was "amazed and astonished" at the Board's decision, pointed out the film had had its world premiere in Washington and had been widely praised by Federal officials, including the Secretaries of War, Navy and Commerce, and Sen. Alben Barkley, majority leader, and Rep. Sam Rayburn, House speaker.

Paramount's exact course of procedure in fighting the ban is expected to be determined today.

Meanwhile, the company announced that Dorothy Thompson, Raymond Gram Swing, Elmer Davis and Wythe Williams, radio commentators, will broadcast on "World in Flames" on special programs next Thursday and Saturday.

Third Series of Kent Drive Sales Meets Start Nov. 1

Third series of the annual Kent Drive sales meetings will start at the 20th-Fox branch in Los Angeles on Nov. 1. It was announced at the week-end by M. A. Levy, drive leader. Levy is currently in Minneapolis, leaving for the Coast this week-end. Herman Wobber, general manager of distribution, and William J. Kupper, Western division manager, will attend the L. A. meeting. Wobber will remain on the Coast for a while for studio conferences.

Metro's November Dates

Metro has set Nov. 1 as "Escape's" release date. Other Metro releases for next month will be: "Bitter Sweet," 8; "Gallant Sons," 15; "Little Nellie Kelly," 22; "Comrade X," 29.

Swanson P.A.'s and Pix to Aid Willkie

Gloria Swanson will wage a personal campaign for Wendell Willkie via the New 14th St. Theater, starting today. She will present a campaign film, "The Melting Pot," hourly, with p.a.'s in between. No admission; 100,000 tickets will be distributed.

It's a campaign innovation.



● ● ● COAST GAZING:.....Ann Edmonds is gonna bicycle 'twixt the sets.....of "Trial and Error" and "She Couldn't Say No".....on the Warner lot.....having a featured role in each.....Al Cohen, story editor for Republic, will produce "Puddin' Head".....starring Judy Canova.....Al recently completed production of "Who Killed Aunt Maggie"....."Only Forever," Jimmie Monaco and Johnny Burke's song hit.....in the Bing Crosby opus, "Rhythm On The River".....sold 9,000 copies in one day.....George W. Weeks has the cameras rolling on third subject.....in his Range Buster series.....tentatively titled, "Triple Threat".....Cast is headed by Ray Corrigan, John King and Max Terhune.....with Gwen Gaze as femme lead.....Elmer Clifton penned the screenplay.....and S. Roy Luby is directing.....Aben Kandel has submitted to Warners a yarn.....titled "City for Glamour".....as a possible sequel to "City for Conquest".....Film won't have same characters.....but will have same theme.....people tryin' to buck the city.....

● ● ● LOCALIGHT:.....Dear Charlie Einfield:.....That was a mighty purty pigeon, Pardner.....you sent along to us toward the week-end.....and right nice note the carrier delivered.....anent "A Dispatch From Reuters".....Gee, Thanks!.....P.S.: By the way, Charlie, is that bird a lady?....You know there's a presidential campaign goin' on.....and you gotta be gawd awful careful 'bout.....the Hatch Act.....

● ● ● WITHOUT any further delay.....we bestow our coveted Order of Applause (with two "palms").....upon a guy we'd like to meet some time.....His name is Ralph McGill of The Atlanta (Ga.) Constitution.....He gets the decoration for his honey of a yarn.....appearing on the front page of that esteemed newspaper this past Tuesday morn.....Story is about the world premiere of Alexander Korda's "Thief Of Bagdad".....in Warm Springs, Ga.....Not since Laicadio Hearn was writing for The Item and The Times Democrat in New Orleans.....have we had jewel journalism such as McGill flashes.....

● ● ● HURRY!.....Hurry! !.....Hurry! !.....Get your reservations in now.....for The Picture Pioneers Circus Night.....at the Hotel Astor next Thursday.....The North Ballroom is to be the big top.....for the main doin's.....immediately following the colorful sideshow.....which opens at 7 p.m.....

● ● ● STUFF:.....Shepard Henkin is handling publicity for Consolidated's Bryant Theater.....We nominate, as the only footage funnier than the Jack Napoloni bit, a tirade by a certain totalitarian gent which and whom you can see in Paramount's "The World in Flames" which moves next Thursday into local Loew's Criterion.....William J. D. Dipson, the 24-year-old vice-prexy of Dipson Theatrical Enterprises, Batavia, N. Y., was one of 18 recruits sworn in by the U. S. Army on the stage of the 20th Century in Buffalo (Dad, who's Niklas D. Dipson, operator of a score of theaters, has been named to the Genesee County draft board).....

Decree's Arbitration Code Completed

(Continued from Page 1)

in THE FILM DAILY have been made it was authoritatively stated.

Special Assistant Attorney Generals James Hayes and Robert Sher again conferred over the week-end in Washington with Assistant Attorney General Thurman W. Arnold. It was stated that copies of the completed code have been mimeographed and placed before Arnold for his consideration. A further meeting of the negotiators is scheduled for today in New York when the Code will again be considered for any possible final changes in wording.

Representatives of the AAA, at the close of Friday's meeting, expressed satisfaction over the results and predicted that it would work equitably in disputes adjudicated under its provisions.

Government officials were unable to say whether they would be ready tomorrow before Federal Judge Henry W. Goddard or would require another postponement of the New York equity suit.

75c Minimum. \$1.65 Top For "Dictator" in Chi.

(Continued from Page 1)

charge 85 cents for balcony and \$1.10 for downstairs seats for matinees and the evening prices will run from \$1.10 to \$1.65.

The Roosevelt, which will have the continuous policy, will charge 75 cents for the run of the house until 6:30 p.m., then goes to \$1.10 for the evening run. Price changes Saturdays will come at 5 p.m., and on Sunday at 3 p.m. for the higher tariff.

B & K is suspending its pass list for this enactment, sending out a special letter to all pass holders. It's a precedent, according to an executive.

Van Praag Will Maintain New York Headquarters

Morton Van Praag, Central sales head for National Screen Service, will headquarter in New York instead of Chicago. George Dembow, general sales chief hereafter will supervise production of trailers in addition to his selling duties.

Solves Huge Problem —Just By A Whisker!

Chicago—Bitter controversy has raged locally ever since announcement by David Meyer, Jr., proxy of the important businessmen's org.—the State St. Council.—announced that Boy Scouts should be bodyguards to Myrtleine Carroll and Puulette Goddard when the stars arrive here for the U. S. premiere of Cecil B. DeMille's NWMP next Thursday. Holding such a chore highly desirable, scores of baldheaded gents who were Boy Scouts many years ago applied for the job. Meyer, groping for a way to rule out the old birds, has just decreed that "a Boy Scout is a young man who doesn't have to shave."

ABSOLUTE

Read what Archer Winsten writes in the N.Y. Post:

"Not content with taking the town by storm with a well-advertised 'Sleeper' a few weeks ago ('The Great McGinty'), The Paramount Theatre is now unveiling the surprise-surprise of the season, 'Arise, My Love'. After seeing it night before last, six local movie reviewers, including this one, gathered at a restaurant and for one hour sounded like Paramount publicity agents trying to earn double their salaries..."

Now read what those six critics wrote...

1 "A Four Star Picture... A Joy to Behold."
—Kate Cameron, N. Y. Daily News

2 "Ray Milland has never been half so good... Claudette Colbert has never been better... Director Mitchell Leisen's best effort. Charles Brackett and Billy Wilder deserve an Academy Award for a script that's a honey." —Archer Winsten, N. Y. Post

3 "Paramount's 'Arise, My Love' is one of the gayest and most satisfying comedies of the year... acted to perfection... altogether superior entertainment."
—Howard Barnes, N. Y. Herald Tribune

4 "If you miss Paramount's 'Arise, My Love' you are missing one of the screen treats of the year... makes you want to come back and see it again."

—William Boehnel, N. Y. World-Telegram
(Editor's Note—Bill's seen it twice already)

5 "Paramount's 'Arise, My Love' won't be easy to top... hugely entertaining... one of the season's hits."
—Rose Pelswick, N. Y. Evening Journal

6 "Should smash box office records."
—Lee Mortimer, N. Y. Daily Mirror

And from a critic who saw the opening...

"The Paramount Theatre rocked with laughter." —Eileen Creelman, N. Y. Sun

PARAMOUNT'S

"ARISE, MY LOVE"

with **Walter Abel** • Directed by **Mitchell Leisen** • Screen Play by C...

Y AMAZING



Claudette
COLBERT • MILLAND
Ray

Y LOVE"

off and Billy Wilder • Adaptation by Jacques Thery of an Original Story by Benjamin Glazer and John G. Tracy



1,000 at Pitts. V. C. Banquet for Latta

(Continued from Page 1)

dustrial fields, to attend the 12th annual testimonial banquet, which surpassed all previous affairs, in the Urban Room of the William Penn Hotel last night, given in honor of the retiring Chief Barker of Tent No. 1, C. J. Latta, and his co-officers: C. C. Kellenberg, first assistant chief barker; Burtus Bishop, Jr., second assistant; Mike Shapiro, treasurer; Al Weiblinger, property master and canvasser; Elmer Becker, George Tyson, M. A. Rosenberg, Mike Gallagher, Art England and Brian McDonald.

John H. Harris Presided

John H. Harris, national chief barker of Variety Clubs of America, was general chairman, assisted by James G. Balmer and Harry M. Kalmine, who had appointed 21 committees to carry out the program. The entire 17th floor of the hotel was converted into a huge show boat, the scheme of which was followed throughout the affair.

The opening of festivities was unique in Variety Club annals in that a marine, a sailor and a soldier in uniform, carrying the national colors and accompanied by an honor guard, consisting of two members of the Variety Post of the American Legion, and a 60-piece band from the University of Pittsburgh, started the ceremonies with the playing of The National Anthem. Father Garahan, chaplain of the club, then pronounced the invocation, and John H. Harris introduced the toastmaster, Howard Dietz, Metro's advertising and publicity chief, who in turn presented the honor guests and speakers.

At the Speakers' Table

At the speakers' table were: C. C. Kellenberg, new chief barker; Fritz Zivie; Billy Conn; Father James S. Garahan; John B. Kennedy; Hon. Wm. McGraw; Senator James J. Davis; Ray Springle, local newspaperman who spoke on his recent London experiences; James Roosevelt; Mayor Cornelius D. Scully; Senator Frank J. Harris; Howard Dietz; C. J. Latta, retiring chief barker; Charles Laughon; Joe E. Brown; Senator Rush D. Holt; Dr. I. Q. Dr. Herman Halperin; James Crowley, football coach for Fordham University; Wm. McKechnie, manager of the world champion Cincinnati baseball team; Dr. Homer S. Flint and C. W. Galloway.

C. C. Kellenberg, newly elected chief barker, then presented gifts to the outgoing officers, a radio bar to Chief Barker C. J. Latta and the traditional Variety Club ring to each of the others.

Ira H. Cohn, chairman of the Heart Committee, presented check for an additional \$5,000 from the local tent to Father O'Connell, to complete its pledge to assist in the maintenance of Camp O'Connell for underprivi-

"Life" for a Button

The Roosevelt administration was responsible for its production, but a Willie campaign button, if unduplicated on the house's display board serves as an admission ticket to "The Fight for Life" at the Bryant Theater. Same offer applies to an unduplicated F.D.R. button. Bryant is a Consolidated house.

RKO Exhib. Contest Has \$15,000 Prizes

(Continued from Page 1)

McCormick, advertising and publicity chief of RKO, said that the awards would be based on various forms of advertising, publicity and exploitation on the picture, including tie-ups or promotion on Borden's "glamor cow," Elsie. RKO and the Borden company are co-operating on the contest, which starts Nov. 1 and runs to Feb. 15, 1941.

There will be 369 awards, distributed in the following manner:

U. S. and Territories: \$1,350 through 13 prizes to first-runs, and \$2,100 through 62 prizes to subsequent-runs in cities of 100,000 and over; \$1,350 through 18 prizes to first-runs, and \$2,275 through 78 prizes to subsequent runs in cities of 25,000 to 100,000; \$5,100 through 163 prizes to first- or subsequent-runs in cities under 25,000.

Canada: \$525 through seven prizes to first-runs, and \$700 through 16 prizes to subsequent-runs.

Special: \$800 through five prizes to RKO national circuit theaters, and \$800 through seven prizes to RKO Metropolitan New York circuit theaters, eliminating these two circuits from the general contest. In cases of ties, duplicate awards will be made.

Capital prizes in the first three classifications for the U. S. are \$500 each and for the subsequent-run theaters \$250; the Canadian first-run houses, \$250, Canadian subsequent-run theaters, \$200; the RKO national circuit, \$400, and the RKO Metropolitan circuit, \$300.

There will be second prizes of \$250, third of \$100 and 10 of \$50 for first-runs of 100,000 and over; second prizes of \$100, 10 of \$50, and fifty of \$25 for subsequent-runs in this classification. Other prizes: In cities of 25,000 to 100,000, second \$250, third \$100, fifty of \$50, 10 of \$25. Subsequent runs, same class; second \$100, third \$50, 75 of \$25. In cities under 25,000, second \$250, third \$100, 10 of \$50, 150 of \$25. In Canada, all cities: second \$100, two of \$50, three of \$75. Subsequent-runs, Canada: second \$100, two of \$50, 12 of \$25.

Award Board: headed by McCormick, includes Gene Towne, A. W. Ramsdell, George J. Schaefer, Ned E. Depinet, Arthur Andrews, Jack Allee, Don Meserave, Martin Quigley, A. Mike Vogel, Sam Shain, Ben Silver, "Red" Kann, Abel Green, "Chick" Lewis, Jay Emanuel and Ray Lewis.

leged boys and girls of the district.

The seventh baby adopted by the local club, Catherine Sheridan Variety the 4th, made its debut at the banquet and was presented by retiring Chief Barker Latta to the new Chief Barker, C. C. Kellenberg, charging him with the responsibility of the welfare of this child through out the coming year or until adopted.

Many Pix Notables Present

Entertainment followed the dinner, which consisted of 20 some acts, headed by Ozzie Nelson's band and Harriet Hilliard, Leighton Noble and his orchestra and many other headliners from the stage and screen.

Among the prominent out-of-town guests who attended were: Lou Astor, Frank Andrews, Allen Anthony,

SMPE to Hear 50 Technical Experts

(Continued from Page 1)

presented and discussed, the SMPE opens its five-day Fall convention at the Hollywood Roosevelt Hotel today. Presiding will be E. A. Willford of National Carbon who is retiring as the Society's prexy. Attendance of more than 200 is indicated.

Two sessions will be given over to sound, one to sound recording, one to disc recording, two to laboratory subjects, one to television, and four to general subjects.

The Society's first order of business will be election of officers. The terms of N. Levinson, executive vice-president; J. I. Crabtree, editorial vice-president; W. C. Kunzmann, convention vice-president; J. Frank, secretary, and R. O. Strock, treasurer, as well as Willford's expire on Dec. 31. With the exception of the secretary and treasurer, who serve one year, all the officers have served two-year terms.

Tonight's sound session will be followed by a second tomorrow morning, with papers by H. F. Olson, RCA; L. J. Anderson, RCA; F. H. Hopper, Erpi and F. F. Romanow, Bell Laboratories; A. L. Williams and H. G. Baerwald, Brush Development Corp., to be read. E. C. Richardson, chairman of the studio lighting committee will report. The afternoon will be given over to a visit to the 20th-Fox studio.

At tomorrow evening's session on sound recording, papers by W. R. Goehner, Bell Laboratories; R. W. Bonfer and G. T. Loranec, Erpi; D. MacKenzie and W. J. Albersheim, Erpi; W. K. Grimwood and O. Sandvick, Eastman Kodak; and J. G. Frayne, Erpi, will be read.

Will Pay 25c Dividend

Montreal — Directors of Loew's London Theaters, Ltd., have declared a dividend of 25 cents per share on the preferred, payable Nov. 30 to shareholders of record Nov. 16.

Rocca House to Fera

Newell, Pa.—The Newell Theater, owned and operated for many years by Sam Rocca, has been taken over by V. A. Fera.

Charlie Berns, Max A. Cohen, Tom Connors, George Dembow, Sam Dembow, Harvey Day, Ned Depinet, Horace Falls, L. C. Griffith, Lou Goldberg, J. R. Grainger, Leonard Goldenson, Julius Gordon, Bill Hardy, Pete Harrison, A. C. Knowles, Ed Kuykendall, Charles Chic Lewis, Tom Lockhart, Jules Levey.

Also Wm. Lasdon, Harry Mayer, Jake Milstein, Bob Mochrie, W. Stewart McDonald, Bob O'Donnell, Bill O'Donnell, Ted O'Shea, Eddie Pedgley, Jack Pegler, John C. Payne, H. M. Richey, Wm. F. Rodgers, Herman Robbins, Paul Short, Cresson Smith, Leonard Schlesinger, A. W. Smith, Jr., Eddie Saunders, Bill Sussman, Bill Scully, Paul Terry, Joe Vogel, Lou Weinberg and Herbert Yates.

«REVIEWS»

"A Dispatch From Reuter's"

with Edward G. Robinson, Edna Best, Eddie Albert 90 Mins.
Warners

B. O. NEWSPAPER STORY WITH WELL BALANCED CAST AND TOP PRODUCTION VALUES HAS PLENTY OF DRAMA, LOTS OF HUMOR AND DELIGHTFUL ROMANCE.

The story of Julius Reuter and how he established the great British news agency which bears his name today has been presented in dramatic and entertaining style that will hold general audience interest throughout. There is plenty of drama, lots of humor and a delightful romance. Picture has a good pace and it moves smoothly to a highly dramatic conclusion.

Picture, however, will stand some intensive selling because of the unfamiliarity of the average American public with the Reuter name and news bureau. However, Edward G. Robinson is a strong marquee name, and a splendid supporting cast has been provided with many players who have a certain extent of "name" value. Included in the cast are Edna Best, Eddie Albert, Albert Basserman, Gene Lockhart, Otto Kruger, Nigel Bruce, Montagu Love and James Stephenson. The dramatic essence of the story also lends itself to exploitation.

Robinson is excellent as Reuter, making the characterization believable and understandable. Miss Best is charming as his sweetheart and wife. Eddie Albert is amusing as Robinson's friend and assistant; and Basserman contributes another neat performance. All the rest of the cast are fine. Dickie Moore appears briefly in the role of Reuter as a boy. William Dieterle directs the picture ably without any waste motions, and the production value is top notch.

After the opening sequence dealing with the development of the telegraph, Robinson appears on the scene with his plan to establish a pigeon service between focal points not connected by wires in northern Europe. His efforts to establish the service meet with a number of disappointments until he is befriended by Edna Best, whom he marries. Well on his way to being a big success his venture is ruined by the completion of the wire hookups.

Robinson then conceives the idea of sending news over the wires in addition to the market reports and other incidentals carried regularly. His efforts meet with huge success, but again he faces ruin when another company establishes a service beating his own into London by two hours. Robinson also conquers this in a dramatic finish. A number of great events in European history have been dramatized and the story ends with Robinson getting the story of Lincoln's assassination to the London papers many hours ahead of his rival to regain his prestige.

CAST: Edward G. Robinson, Edna Best, Eddie Albert, Albert Basserman, Gene Lockhart, Otto Kruger, Nigel Bruce, Montagu Love, James Stephenson, Walter Kingsford, David Bruce, Dickie Moore, Billy Dawson, Richard Nichols, Lumsden Hare.

CREDITS: Produced by Warner Bros.; Directed by William Dieterle; Screenplay by Milton Krims; Story by Valentine Williams and Wolfgang Wilhelm; Camera Man, James Wong Howe; Editor, Warren Low. DIRECTION, ABLE. PHOTOGRAPHY, Expert.

Kenny
BAKER • Frances
LANGFORD • Hugh
HERBERT • Mary
BOLAND • Ann
MILLER in

"HIT PARADE OF 1941"

A REPUBLIC PICTURE



PATSY KELLY • PHIL SILVERS • STERLING HOLLOWAY • DONALD MACBRIDE • FRANKLIN PANGBORN • SIX HITS AND A MISS

BORRAH MINEVITCH and his HARMONICA RASCALS
AND A BRILLIANT CAST OF SCREEN AND RADIO STARS

JOHN H. AUER DIRECTOR

GWTW Leaves Chicago With \$900,000 Gross

(Continued from Page 1)

ous operation, using duals. Price will be 20 cents to 6:30 p.m., 30 cents to closing.

GWTW is Highly Successful In Cuban Provincial Cities

Havana (By Air Mail)—GWTW is continuing its success outside of this capital city. Metro's office here reports. At Santiago de Cuba, the Selznick film went two weeks at 75c-\$1, although until that time no picture had played that house at more than 40 cents nor more than three days. Picture has proven socko in five other spots, including Pinar del Rio.

GWTW again will play this city in January when it goes into general release.

Warners to Start Nine In Next Three Weeks

(Continued from Page 1)

Flynn with Brenda Marshall, with Lloyd Bacon directing; "She Stayed Kissed," with Dennis Morgan under direction of Ben Stollhoff; "The Strawberry Blonde," starring James Cagney under Raoul Walsh's direction; and "The Case of the Black Parrot," to be directed by Noel Smith.

"January Heights" starring Bette Davis with George Brent, will begin Oct. 23 under Edmund Goulding's direction. Starting the same day will be "Bad Men of Missouri," Ray Enright is slated to direct. "The Sea Wolf," starring Edward G. Robinson, George Raft, Ida Lupino and Gene Lockhart will kick-off on Nov. 4 with Michael Curtiz directing. Starting the same day is "Fiesta In Manhattan," based on the Charles Kaufman novel of New York's Italian settlement. "Tugboat Annie in Drydock," starring Marjorie Rambeau with Alan Hale, a continuation of the Tugboat Annie series, will bow Nov. 7 with Ray Enright directing.

Kendall Heads N. Y. SAR

Messmore Kendall was elected president of the New York Society of the Sons of the American Revolution at a meeting at the Hotel Plaza.

WEDDING BELLS

Atlanta, Ga.—Ralph Blalock, purchasing agent for Wilby-Kinney theaters, and Margaret McKnight, of Spartanburg, S. C., were married.

Phoenix, Ariz.—Steffi Duna and Dennis O'Keefe were married here on Friday.

West Coast Bureau of THE FILM DAILY Hollywood — Bonnie Baker announced that she would wed Orrin Tucker, band leader. No date was given.

825 20th Century-Fox Employees Register For Draft, Exclusive of NT Personnel

Approximately 825 employees of 20th Century-Fox in all departments registered for the draft last week. Largest number of draftable men are in the Western division. Studio figure was 212. The draftees do not include those in National Theater circuit, 20th-Fox subsidiary.

Heymann to File Answer In Silverstein Action

Andre Heymann, president of both French Cinema Center, Inc., and French Films Import Co., Inc., and other defendants will file their answer this week to the receivership action instituted by Harry Silverstein, a stockholder. Charges in the complaint will be denied. Commenting on a decision by N. Y. Supreme Court Justice Miller, Heymann pointed out that the merits of the Silverstein application had not been decided and that this matter was not before the court for decision. Justice Miller merely held the defendants should file an answer. The receivership proceedings are pending undetermined before Justice Church.

Henry Lazarus Estate Valued at \$194,997

New Orleans—The estate of the late Henry Lazarus, operator of the Center and Coliseum Theaters and part owner of the Circle, was valued at \$194,997.04 in civil court. Theater stock and properties make up the bulk of the estate which is inherited by Lazarus' widow and his son, Isador Lazarus, both of whom were actively associated with the late exhibitor in theater operation.

B & K Seeking Third House For "North West" Premiere

Chicago—Para's NWMP may open in three Loop houses when it has its U. S. premiere here Thursday. Chicago and State-Lake are already sold out and B & K is looking for a third. Booking problems however remain to be surmounted. Scalpers are reported getting \$5 for the \$1.65 seats for the premiere.

Harris Circuit Reopens Senator In Pittsburgh

Pittsburgh—The Senator Theater here, operated by the Harris Amusement Co., which has been closed since the early part of June, has reopened. This is a first-run house, used mostly for holdovers from the Harris-Alvin Theater and double bill features.

New Haven Operators Discuss Pact Terms

New Haven—Local 273, Operators, met yesterday at Trades Council Hall with Nelson Frazier presiding, to finish discussions of the new contracts with circuits and indies in the New Haven district.

Bergman to 20th-Fox As Reeve Successor

(Continued from Page 1)

nounced earlier in the week, is resigning as director of publicity and advertising for Columbia Pictures to take the new post.

Bergman will continue at Columbia until Nov. 29, moving over to his new berth on Dec. 2. His successor at Columbia will be chosen in the interval, it was stated.

Before joining Columbia, the new 20th-Fox ad manager was advertising director of the Brooklyn Paramount and an account exec. for Lord & Thomas. He was named to his present post in March, 1938.

\$37,094,776 Net of GE Is 48% Gain for 9 Mos.

Charles E. Wilson, president of General Electric Co., announces organization's profit available for dividends in the first nine months of this year, after provision for estimated Federal income and excess profits taxes applicable to this period, amounted to \$37,094,776, or \$1.29 a common share, an increase of 48 per cent over the \$25,022,631 profit, or 87 cents a common share for the corresponding period in 1939.

Monogram Reported Dropping Production

(Continued from Page 1)

Scott R. Dunlap, Paul Malvern, Ed Finney, Sam Katzman and George W. Weeks, each heading his own company, with Monogram doing the selling and distribution.

\$1,369,575 9 Mos. Net For Bausch & Lomb

Rochester—Bausch & Lomb Optical Co. and subsidiaries in report for nine months ended Sept. 30, subject to audit, show net profit of \$1,369,575 after various deductions, but before any provision for excess profit tax, equivalent, after dividends paid on 5 per cent preferred stock, to \$2.84 a share on 417,368 shares of common stock.

This compares with \$1,133,899, or \$2.31 a share on 410,000 common shares for the nine months ended Sept. 30, 1939.

This is Oley....

...with the body of a giant and the heart of a small boy, yearning for his mother.



OLEY, played by John Wayne, is one of the unforgettable characters in JOHN FORD'S "THE LONG VOYAGE HOME" which Critic Pare Lorentz tells the millions of women who read McCall's Magazine, is "unquestionably one of the greatest motion pictures of all times!"

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 80

NEW YORK, TUESDAY, OCTOBER 22, 1940

TEN CENTS

SETTLEMENT OF EQUITY SUIT IS IMMINENT

Cole Asks Exhibs. to Co-op. on Consent Decree

**Favors Open Competition
To Bring Increased Domestic
Revenue to Distribs.**

Pittsburgh—Col. H. A. Cole, prexy of National Allied, speaking at the AMPTO of Western Pennsylvania convention here yesterday, advised exhibitors to extend their co-operation to the provisions of the proposed consent decree in the New York equity suit.

Colonel Cole went on record as favoring an arbitration setup which would give adequate recourse to the industry for the next three years.

The Allied exec. asserted he fa-

(Continued on Page 3)

Decree Stand Known To Myers-Kuykendall

Because the MPTOA already is on record as to the alleged unfairness of the proposed consent decree, President Ed Kuykendall "feels no inclination" to answer Abram F. Myers' request for the former's stand on various provisions of the settlement terms of the Government's suit against the industry.

In a special bulletin made public yesterday, Kuykendall contends that the Allied general counsel "knows

(Continued on Page 3)

Towers Theater Co. Sues 20th-Fox for \$107,500

Philadelphia—Suit was filed last week-end in Common Pleas Court No. 3 by Richardson Dillworth, attorney for Towers Theater Company, Camden, N. J., (A. Mellis),

(Continued on Page 6)

Foreign Income Now At 10%, Says Golden

Washington Bureau, THE FILM DAILY
Washington—World War II has cut the American motion picture industry's revenue from foreign markets from about 35 per cent of its gross income to approximately 10 per cent. Nathan D. Golden, chief of the Motion Picture Division of the Department of Commerce, told members of the Nacomb Club of Bethesda.

EMERY HUSE HEADS SMPE

Eastman Kodak Exec. Succeeds
E. A. Williford as Prexy

West Coast Bureau of THE FILM DAILY

Hollywood—Emery A. Huse, West Coast manager of the motion picture department of the Eastman Kodak Co., was elected President of the SMPE at the opening session of the 17th semi-annual convention here yesterday. He succeeds E. A. Williford, of the National Carbon Company, who continues on the



EMERY A. HUSE

Board as Past-President.

Herbert Griffin, vice-president of

(Continued on Page 7)

Canadian Gov't Still Studies Kid Admissions

Montreal—The question of the admission of children to moving picture theaters is still under study by the Government, Wilfrid Girouard, Attorney General, at Government offices, told THE FILM DAILY here yesterday. Whether or not legislation

(Continued on Page 6)

Admission Tax Receipts Soar

\$5,851,655 in Sept. is \$1,444,557 Gain

Rites Held Yesterday For Maurice A. Shea

Funeral services were held yesterday for Maurice A. Shea, 60, circuit head, who died Saturday after a long illness. Requiem mass was held at St. Margaret's Church, Riverdale, and burial was at Gate of Heaven Cemetery.

Only members of the family and

(Continued on Page 6)

Agreement Reached in FWC Contempt Case, and In Sight in B & K Proceedings, Brings all Five Major Companies in Accord With Gov't

The Government late last night announced agreement with Twentieth Century-Fox on disposition of the Fox West Coast contempt proceedings and at the same time stated that the

Schless Tops Warner Foreign Distribution

Appointment of Robert Schless as head of foreign distribution for Warner Bros. was announced yesterday by Harry M. Warner, company's prexy, in a cable sent to all Warner foreign managers.

Schless until recently was general European manager for the company. Joseph Hummel will function as Schless's assistant.

Wanger Holds Up Prod'n Until "Fantasia" Opens

Until the revolutionary sound treatment of Walt Disney's "Fantasia" is introduced, Walter Wanger will hold up future production plans. Planning "Personal History" as his next picture, Wanger will personally supervise key city presentations of "The Long Voyage Home" before returning to Hollywood.

In making his announcement, Wanger said that the industry needs a strong stimulant. Disney engineers, he said, have worked more than two years perfecting the sound equip-

(Continued on Page 7)

Paramount home office had agreed to the settlement of the Balaban & Katz proceedings, subject to approval of the settlement by two B & K officials which is to be obtained today. The settlement of the two contempt proceedings now brings all five negotiating companies in accord with the Government and means a full settlement of the suit.

The Government contempt pro-

(Continued on Page 6)

208 "Dictator" Dates Over Loew's and FWC

United Artists has closed deals for Chaplin's "The Great Dictator" with Loew's and Fox West Coast and has set the Canadian premiere of

(Continued on Page 7)

Para. Asks 2nd "Flames" Review by Penna. Censors

Paramount will ask the Pennsylvania State Board of Censors to review again "The World in Flames"

(Continued on Page 3)

NWMP Acclaimed As Corking Melodrama

Cecil B. De Mille's "North West Mounted Police," given its world premiere in distant Regina last night, is a corking melodrama, splendidly played by a star-studded cast, cannily directed to make the most of every dramatic situation—and they abound—lavishly produced with Mother Nature entitled to no small credit and perfectly—yes, we said perfectly—photographed in Dr. Kalamus' Technicolor.

All of which is to point up the fact that it is a prize example of De Mille craftsmanship, and further, that it is one of the season's best answers to the showman's timeless prayer for box office. The exhibitor whose bank account doesn't take a turn for the better with NWMP will have only himself to blame.

—BAHN.

Washington Bureau of THE FILM DAILY

Washington—Admission tax collections for September, responding to not only the new defense levy but generally better business, again showed substantial increase over the previous month and the same month of last year, the Internal Revenue Bureau reported yesterday.

The Bureau announced the September collection as \$5,851,655.13 compared to \$1,852,256.14 for Sep-

(Continued on Page 7)



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JOHN W. ALICANTE : : : : Publisher

DONALD M. MERSEUR : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Freeman, The Film Center, 127-133 Wardour St., W. 1. PARIS—P. A. Harle, La Cinematographie Francaise, 29 Rue Marsoulan (12). MEXICO CITY—Marco Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Monday, Oct. 21)

NEW YORK STOCK MARKET

Am. Seat.	High	Low	Close	Net
Col. Pict. vcs. (2 1/2%)	8 1/8	8 1/8	8 1/8	
Columbia Pict. pfd.	20 1/2	5	20 1/2	+ 1/8
Con. Fm. Ind.	8 1/8	8 1/8	8 1/8	
East. Kodak	134 1/4	134 1/4	134 1/4	— 3/8
do pfd.	11 1/4	11 1/4	11 1/4	
Gen. Inf. Inc.	27 1/4	27	27	— 1/8
Loews, Inc.	8 1/8	8 1/8	8 1/8	
do pfd.	91 1/4	91	91	
Paramount 1st pfd.	9 3/4	9 3/4	9 3/4	
Paramount 2nd pfd.	11	10 3/4	10 3/4	
Pathe Film	2 1/2	2 1/2	2 1/2	
RKO	5 1/8	5 1/8	5 1/8	
20th Century-Fox	6 1/2	6 1/2	6 1/2	
20th Century-Fox pfd.	2 1/4	2 1/4	2 1/4	
Univ. Pict. pfd.	2 1/4	2 1/4	2 1/4	
Warner Bros.	2 1/4	2 1/4	2 1/4	
do pfd.	2 1/4	2 1/4	2 1/4	

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4	
Loew's deb. 3 1/2 1/4	
Para. B'way 3 1/2	
Para. Pict. 6 1/2	
Para. Pict. cv. 3 1/4 1/4	92 92 92 — 3/8
RKO 6 1/4	
Warner Bros. dbs. 6 1/4	

NEW YORK CURB MARKET

Monogram Pict.	1/4	1/4	1/4
Rad. Keith var.	1/4	1/4	1/4
Sonotone Corp.	8 1/2	8 1/2	8 1/2 — 3/8
Technicolor	8 1/2	8 1/2	8 1/2 — 3/8
Trans-Lux	1/4	1/4	1/4
Universal Corp. W.	1/4	1/4	1/4
Universal Pict.	1/4	1/4	1/4

W. N. Skirball Convolvescing

Cleveland—W. N. Skirball, circuit owner, is convalescing from an operation at Lakeside Hospital and expects to be moved to his Gates Mills estate within the week to complete his recuperation.

Conn. Allied Meets Today

New Haven—Allied Theater Owners of Connecticut will meet at noon today at the Hof Brau Haus, with A. M. Schuman presiding.

Michael A. Switow Dead; Started 33 Pix Theaters

Louisville, Ky.—Funeral services for Michael A. Switow, 76, president of M. Switow & Sons, operating a circuit of 16 theaters in Kentucky and Indiana, were held yesterday afternoon at the Temple Adath Jeshurun. Death occurred Saturday midnight of cerebral hemorrhage. Switow had been in ill health for six years.

It was on a vacation trip 35 years ago to Chicago that Switow was drawn into the theater business. He dropped into a 5-cent picture show, the first he had ever seen. Thrilled by the wild west scenes, Switow learned from the manager the address of a dealer in movie supplies—the late Carl Laemmle—and Switow bought a \$100 projector and 100 seats for \$3 apiece, and opened a nickel-odion in Shelbyville, Ind. His first night's receipts were \$68.

During his years in film business, Switow launched a total of 33 theaters, many of which, successful, he sold. He is credited with being one of the first to purchase films outright for rental to other exhibs, and also with being one of the first to install a mirror screen.

Surviving are his widow, Annie, three sons, Harry R., Samuel J., and Fred T., all associated with him in M. Switow & Sons, and two daughters.

Jos. Pollock Forms Co. To Film Plays in 16 mm.

Company is being formed by Joseph Pollock, to film plays and sell the film version in a 16 mm. form to the non-theatrical field, it was learned yesterday. Pollock plans to incorporate the company under the name of Plays On Films, Inc.

Deal has been made with the Playwrights Producing Co. to film the plays put on by the organization, it was said. First play to be put before the cameras by Pollock will be "Journey to Jerusalem" which recently closed. Original sets will be moved to the Fox Movietone Studios and the Broadway cast will appear in the film version. Shooting is scheduled to start Thursday.

It is understood that Pollock has a clause in his contract that states he will withdraw his version of the play if it is sold to another film company for theatrical production.

GN British Granted U. S. Operation Right

Federal Judge Vincent T. Leibel yesterday signed an order granting authority to Grand National Pictures, Ltd., British concern, to conduct business in New York State in spite of the similarity of its name to that of Grand National Pictures, bankrupt U. S. concern.

The Court order was made on the consent of the GN trustee. The British company, which formerly distributed the U. S. concern's films in England and other European countries, wishes to distribute a number of films produced by itself or contracted for distribution.

2,000 at Demonstration Of Panorams and Soundies

Approximately 2,000 persons attended the demonstration of Globe-Mills' Soundies and Panorams, coin-in-the-slot movies, marketed by James Roosevelt and Fred Mills of Mills Novelty Co., on the Starlight Roof of the Waldorf-Astoria last night. Soundies are strips of 16 mm. sound on film which run for three minutes on the insertion of a dime in the Panoram.

General distribution of the machines will start Dec. 1. Observers at last night's demonstration, expressed the opinion that the pictures are very clear and the sound good.

Chicago—The Soundies Distributing Corp. will show the new Mills Panoram machines at the Western States Coin Machine convention at the Hotel Biltmore in Los Angeles, Nov. 18-20. Subsequently, they will be displayed at the National Coin Machine Exposition at the Hotel Sherman here, Jan. 13-16.

Joe Philippson to Leave J. H. Cooper Organization

Joe Philippson, assistant treasurer of the J. H. Cooper circuit, Paramount affiliate, is leaving the organization late this month. Philippson headquartered in New York. Leon Savell, his assistant and who formerly was with the Wilby-Kinney circuit, will take over an executive position with the Cooper interests in Lincoln, Neb., before Jan. 1.

Cooper is concentrating the accounting departments of his far-flung interests in Lincoln. He operates theaters in Nebraska, Oklahoma and Colorado. Present office in Lincoln has done much of the detailed work, with Paramount's interests handled by Vincent J. DiFiore and the Cooper side by Charles F. Shire. With the shifting of Savell to Lincoln, it is likely that a much larger office force will be maintained there.

Halliday Heads Vincent Story and Writers Dept.

West Coast Bureau of THE FILM DAILY

Hollywood—Richard Halliday has joined the Frank W. Vincent organization as head of its story and writers department. Association with this leading agency follows Halliday's resignation from Paramount Pictures, where he was story chief in New York for six years and for the past year was studio story editor plus hiring the studio writers. In his new position, Halliday will handle all story material and assignments of writers under contract to the Vincent organization.

Nat'l Board of Review Conference Opens Nov. 14

The National Board of Review of Motion Pictures will hold its annual conference next month instead of in February as has been its custom for the last 16 years. The conference will take place at the Pennsylvania Hotel on Nov. 14, 15 and 16.

COMING and GOING

HOWARD DIETZ, director of advertising and publicity for Metro, returned to New York yesterday from Pittsburgh.

JOHN CONSIDINE, JR., Metro producer, is here from the Coast for a vacation.

DON HIGGINS, publicity director for the March of Time, sails Thursday for Puerto Rico.

MURIEL BARCOCK, editor of Picture Play, is on the Coast for a visit.

JACK GLENN, a director for March of Time, has returned to New York from Mexico City.

MARGARET ETTINGER, Coast publicist, is at the Waldorf.

EMIL STERN, EDDIE SILVERMAN and EDDIE SPEIGEL, executives of the Essaness circuit in Chicago, have returned to the city from New York.

REGINALD ARMOUR, general European manager for RKO, is due here Friday from Europe on the Exochorda.

BUDD ROGERS, vice-president and general manager of Alliance Films, has arrived on the Coast from New York.

HARRY M. KALMINE, of Warners' Pittsburgh branch, is at the Warwick.

NED SPARKS is stopping at the Warwick.

JOSEPH P. KENNEDY, American Ambassador to Great Britain, is scheduled to leave London tonight for the U. S.

MICHELLE MORGAN, French actress, is due here Friday from Europe on the Exochorda.

KAY KYSER has arrived here from Hollywood.

JACK OAKIE leaves today for Hollywood.

DOUGLAS FAIRBANKS, JR. left for the Coast last night on the Century.

TOM CASSARA has left for Florida accompanied by NEAL LANG.

GEORGE RAFT and MACK GRAY planed out here Friday from Europe for the Coast aboard TWA's Stratoliner.

ROBERT SISK, RKO Radio producer, arrived in New York yesterday from Hollywood.

ROBERT ROBINSON of TWA is en route from New York to Phoenix, Arizona.

PAULETTE GODDARD has arrived in Hollywood from New York by plane.

ROBERT BURNS, chief operator for the Chicago Theater, Chicago, has returned from special Hollywood assignment for the IATSE.

WB—"Dictator" Deal Set As Yet for But 2 Houses

Warners' home office yesterday asserted that, contrary to reports, Clayton Bond, film buyer for Warner Bros. Theaters, has not made a circuit deal with United Artists for "The Great Dictator."

The attraction is set for only two WB houses, the Aldine in Philadelphia, and the Warner in Pittsburgh.

EVERY TELEGRAM GETS
INDIVIDUAL ATTENTION
AT
**Postal
Telegraph**



CHARGES FOR TELEGRAMS
"PHONE IN APPEAR ON YOUR
TELEPHONE BILL.

Cole Asks Exhibs. To Co-op on Decree

(Continued from Page 1)

vored open competition to increase domestic revenue for distrib. as the most effective means to offset their loss in foreign revenue. He pointed out that building additional theaters was one of the most important ways to obtain increased revenue here.

Continuing, he maintained that many locations have openings for more theaters but that exhibs. are afraid to build because of their uncertainty as to product.

Reverting to the loss of foreign revenue, Col. Cole said he realized this must be made up by the industry in general. He observed that not only producers but film companies should reduce expenses. Admission advances, he added, were desirable, but the price level of a theater was essentially a matter for the operator to determine. Colonel Cole emphasized that increased admissions were not the solution to the problem presented by losses abroad.

The convention, following the address of welcome yesterday by President M. A. Rosenberg, also heard H. M. Richey, Metro exec., and George Dembow, National Screen exec. The former discussed briefly the possibilities of the consent decree, and suggested that exhibs. devote time to selling pictures to their patrons and not keep publicizing what is wrong with the industry.

Dembow explained the National Screen operating setup, and asked for the AMPTO support. Unit had been critical some months ago. Colonel Cole had words of praise for National Screen.

NLRB Opens Hearings On Petition of SPG

Hearings on a petition of the Screen Publicists Guild for certification as the collective bargaining agency for the publicity and advertising department employees in home offices of the majors was started yesterday before the NLRB, with Charles Kramer, Board examiner, presiding. SPG officers claim the union's membership embraces 90 per cent of the employees in these departments in all New York offices of the majors.



• • • WHILE everyone hereabouts.....well, almost everyone.....is talking in strident tones.....'bout that gala Circus Night the Motion Picture Pioneers are hurling.....at the Hotel Astor on this Thursday night.....let's out with the suggestion.....that an org. be formed.....titled "Sons of the Pioneers".....which could embrace offspring of film vets.....You'll find quite a few eligibles.....in various sectors of the industry.....acting, directing, producing, writing, etc.....F'rinstance there's Douglas Fairbanks, Jr., a bright star.....Tim Holt is on the RKO list of luminaries.....Noah Beery, Jr., is developing rapidly into an excellent young character actor.....Lon Chaney, Jr., is keeping busy before the cameras.....Guy Kingsford, son of Walter, is also active.....

• • • IN the directing field we find Jack Hively, son of film editor George Hively.....Both are with RKO.....Jacques Tourneur is a veteran director and his son, Jacques, is carrying on at Metro.....Among producers is Edmund Grainger, son of the energetic James R.....Eddie is with Warners.....At Columbia is Ralph Cohn, son of genial Jack (House Manager of the Motion Picture Pioneers).....Jerry Brandt, whose father was the late Joe Brandt, will make his debut as producer of the "Scattergood Baines" series.....Val Paul's boy, Vaughn, is a new Universal producer.....Allan, Jean Hersholt's pride and joy, is assistant production manager of Stephens-Lang Productions.....

• • • AMONG writers is Irving Cummings, Jr., son of the popular director.....Collaborating with Irving, Jr., is William Conselman, Jr., son of the late writer.....The youngsters are at 20th-Fox.....Budd Schulberg, Ben's boy, has numerous screenplays and may yarns to his credit.....and has penned a Hollywood book soon to appear.....Maurice Rapf, of the Rapf clan, is also 'mong the Coast screen writers.....Withal, the daddies can't take all the bows.....Hedda Hopper's "little boy" William stands well over six feet and is an actor in Hollywood.....Grace Hayes' youngster, Peter Lind, is also doing well on the Gold Coast.....Helen Broderick is mighty proud of her son, Broderick, and deservedly so.....Louella Parsons' daughter, Harriett, is of course producing short subjects at Republic.....

• • • STUFF.....That was a honey of a break the Music Hall's Fred Lynch engineered for the house in Sunday's local Daily News which published a double truck in colors o' the gals and captioned with their names and from whence they hail (result was a flood of letters from U. S. newspapers in various cities asking for special story material on their native daughters).....J. C. Shapiro who operates the Shapiro Theater in Mt. Union, Pa., and the Shapiro Theater in Six Mile Run, Pa., is now taking flying lessons.....The Frank Lloyd and David Wark Griffith Exhibitions, scheduled to open Oct. 30 at the Museum of Modern Art, have been postponed to Nov. 13.....Gene Buck, Acap prexy, clarions that the org. will sponsor a Cavalcade of American Music this coming Thursday at the World's Fair.....Homer Marvel, manager of the Fox Grenada, Mt. Vernon, Ill., has been awarded Metro's Honor Roll Button for his stout campaign for "Strike Up the Band".....That Entertaining Exhibit: Rochester sends word that Toby Ross, manager of the Elmwood Theater in nearby Penn Yan, N. Y., furnished the musical entertainment at a meeting of 150 industrialists in that village (Toby plays the violin and was formerly musical director of Rochester's RKO Palace).....

Decree Stand Known To Myers-Kuykendall

(Continued from Page 1)

full well how MPTOA stands." The MPTOA attitude, Kuykendall writes, has been repeated many times in the trade press and in general bulletins, as well as to the Dept. of Justice. Continuing, he asks:

"By what authority, imaginary or real, can Mr. Myers demand statements from Mr. Kuykendall, who was laboring under the impression that he was answerable only to his board of directors? After all, Kuykendall's personal opinion is not important, but the widely expressed objections to certain clauses of the decree by thousands of exhibitors are important and Mr. Myers knows how they stand as well as he knows that his own organization is almost entirely opposed to some of the decree provisions.

"Is it possible that Mr. Myers has worked himself into such a position by endorsing the consent decree that he seeks to beloud the real issue? I cannot forget that this is the same Mr. Myers who dragged in outside reformers to besmirch the industry in the Neely Bill hearings, and not being convinced of his sincerity of purpose in this instance as in the past, I feel no inclination to answer any of his demands."

Para. Asks 2nd "Flames" Review by Pa. Censors

(Continued from Page 1)

which it banned on Friday. Under the censor board regulations, the owners of a picture can demand that the reviewers look at a picture for a second time before passing final judgment.

If the board again rules that the picture cannot be shown in the state, Paramount will then prepare to appeal the decision to the highest courts.

The board probably will look at the picture again today.

Because of Pennsylvania's ban of the film, the Mutual network will drop its commercial broadcast previewing the picture over the six Pennsy stations originally set to take the show on Thursday.

R. E. Martin's Mother Dead

Phenix City, Ala.—Mrs. Carrie T. Martin, 84, mother of R. E. Martin of Columbus, Ga., operator of the Martin chain of theaters in Georgia and Alabama, is dead.

"Arise, My Love" Best in 3 Years

With a three-day week-end take of \$36,000, Para.'s "Arise, My Love," did the best opening week-end business at the New York Paramount in the last three years, according to Robert M. Weitman, manager of the theater. Picture will complete its first week tonight with a "take" of better than \$65,000, according to Weitman.

"Happy Birthday to You"

From THE FILM DAILY to

Constance Bennett
Joan Fontaine
Bela Lugosi
James Hall
M. J. Weisfeldt
Mitzi Green
Walter J. Willey

4 BIGGEST RADIO COMMENTATORS TO PRE-SELL YEAR'S BIGGEST PICTURE THRILL OVER

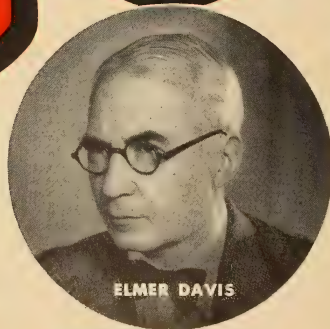
273 STATIONS THURSDAY

(COLUMBIA AND MUTUAL NETWORKS)

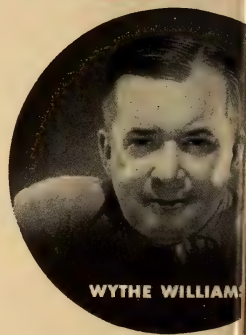
AND SATURDAY

NIGHTS

SCOOP



ELMER DAVIS



WYTHE WILLIAMS

"WORLD IN

A Paramount Picture



Produced by ALBERT J. RICHARD • Written and Documented by William C. Park

Settlement Said Near in Equity Suit

(Continued from Page 1)

ceedings against FWC under the terms of agreement will be dropped with the proviso that the proposed decree shall be amended so that no limitation will be placed upon the right of circuits to arbitrate clearance disputes in the area covered by FWC theaters. The decree originally limited arbitration to all theaters in chains of less than five houses. Under the changed provisions any circuit in that area may ask for a hearing and alteration of its clearance.

Stronger B & K Stand

The proposed agreement with Paramount, if accepted by the B & K officials, provides for the pleading of nolle contendere by B & K, B & K Management Corp. and Barney Balaban, defendants in the B & K contempt proceedings. This plea, it was explained, is tantamount to the companies' failure to defend and carries with it the right of the court to punish the defendants by imposing a fine. At the same time the plea will prevent liability on the part of the defendants in damage suits which may be brought by exhibitors. The Government took a stronger stand in the B & K case because, officials said, the defendants had already been found guilty by the referee.

A statement will be presented to Federal Judge Henry W. Goddard today by Government attorneys as to the status of the anti-trust suit. Immediately following the statement, negotiators will meet in conference and await the answer of B & K officials. The major companies will be dropped as defendants in the Government suit now pending against the Crescent, Schine and Griffith circuits. The Government expects to file an amended complaint against the "Little Three" within a short time and probably simultaneously with the submission of the completed decree to the court. A trial date against the "Little Three" will be requested in the near future.

No Admission of Conspiracy

The decree, it was said last night, contains no admission of conspiracy by any of the five companies. The negotiators are still working upon minor changes in the arbitration code which will be completed within a week. Major companies have been extremely careful in wording the provisions of the code because they claim that there will be approximately 8,000 arbitration cases heard in the first year.

The decree and code will be submitted to Attorney General Robert Jackson within the next few days with immediate approval extremely likely.

New Cuban Distributor

Havan (By Air Mail)—Compania Nacional de Peliculas S.A., a new distributor, has started operations. Officers are: president, Jess Sogredo; vice-president and administrator, George R. Naylor, ex-manager of Universal; treasurer, Manuel C. Gomez.

REVIEWS OF NEW FILMS

"North West Mounted Police"

(In Technicolor)

with Gary Cooper, Madeleine Carroll, Paulette Goddard

Paramount

125 Mins.

CORKING MELODRAMA IS ONE OF THE SEASON'S BEST ANSWERS TO THE SHOWMAN'S TIMELESS PRAYERS FOR BOX OFFICE.

Cecil B. De Mille's "North West Mounted Police" is a corking melodrama, splendidly played by a star-studded cast, cannily directed to make the most of every dramatic situation—and they abound—lavishly provided with Mother Nature entitled to no small credit and perfectly—yes, we said perfectly—photographed in Dr. Kalmus's Technicolor.

All of which is to point up the fact that it is a prize example of De Mille craftsmanship and, further, that it is one of the season's best answers to the showman's timeless prayer for box office. The exhibitor whose bank account doesn't take a turn for the better with NWMP will have only himself to blame.

Not that the picture is wholly flawless; it is not. Its 125 minutes are too long; it could be profitably shortened, and the story itself would gain in the tightening process. The story indeed attempts to cover too much ground; the answer probably is to be found in the number of "names" in the cast—parts were built up deliberately. And in attempting to fully cover the half-breeds' revolt, it was natural that extraneous footage creep in.

Yet in spite of that De Mille, producer-director, sends his story along generally at a lively pace, and, as for suspense, you get it in generous quantities. The plot skeleton, of course, is the familiar the Mounties-always-get-their-man, but as decked out by the cunning De Mille and his imaginative writers, Alan Le May, Jesse Lasky, Jr., and C. Gardner Sullivan, there are enough twists to make it new indeed. They have you guessing . . . and a couple of times, in climactic scenes, you'll guess wrong. That's going to take the showman not a little.

Take Dusty Rivers, a Texas Ranger who follows the long, long trail of a murderer to Canada, finds the Mounties want the same killer for rebellion, falls in love with a Government nurse, and—but enough. The immediate question is, does Rivers get the girl? If, ignorant of the story, you can determine before De Mille takes you into his confidence in the last two minutes of the 125, you're good, brother, you're good.

Gary Cooper is Rivers, the Ranger prototype of Mountie (or vice versa), to the very life. It stands with the best of the Cooper delineations. As April Logan, the outpost good angel, Madeleine Carroll scores decisively. On the dynamic, emotional side, the honors are Paulette Goddard's. Her faithfully etched Louvette Corbeau, a half-breed, is something to rave about, and the dailies and the public will. Dramatically, she has what it takes.

Major story threads fall to Preston Foster as Sergt. Jim Bret and Robert Preston as Constable Ronnie Logan of the Mounties, to George Bancroft as Jacques Corbeau, Akim Tamiroff as Dan Duroc and Francis McDonald as Louis Riel, the three leaders of the revolt, and lesser but still important threads, to Lynne Overman as Tod McDuff, Mountie scout; to Montagu Love as In-

☆ SHORTS ☆

"Mexico"

RKO-March of Time 19 mins.
Interesting and Timely

The Mexico of today and the role it will play in the future of this hemisphere and its defense is interestingly documented in this new MOT release. Mexico's ambitions, preparedness and politics are subjected to an interesting analysis.

In relation to its position as a "good" neighbor of the U. S., Mexico is shown to be a vital link between North and South America for all overland communications. The course of unionism in the country is traced, and shown to be a powerful factor in all Mexican affairs. Expropriation is dealt with, and the recent elections are also treated.

Commentary is intelligent and pertinent and the subject should prove to be beneficial in acquainting the American public with Mexico as it is today, and how the country fits into the future of this hemisphere.

Samuel Davis Stricken

Portland, Me.—Samuel Davis, 68, associated with the late Hiram Abrams in this state when the latter was building up his theater enterprise, died at his home here of heart disease.

spector Cabot and Walter Hampden as Big Bear.

Their roles are demanding, and finely and convincingly played. The others fill out the story with its many facets competently.

The Technicolor cameras have a field day, naturally. The outdoor shots, particularly the vistas, are gorgeous, and indoors, the colors register with fidelity. The Kalmus organization and Victor Milner and Duke Green, at the cameras, have a right to be proud of what has been accomplished.

Arthur Rosson and Eric Stacey get merited directorial assists; William H. Pine was De Mille's exceedingly efficient associate producer.

CAST: Gary Cooper; Madeleine Carroll, Paulette Goddard, Preston Foster, Robert Preston, George Bancroft, Akim Tamiroff, Lynne Overman, Montagu Love, Walter Hampden, Lon Chaney, Jr., Francis McDonald, George E. Stone, Willard Robertson, Regis Toomey, Richard Denning, Douglas Kennedy, Robert Ryan, James Seay, Lane Chandler, Ralph Byrd, Eric Aldin, Wallace Reid, Jr., Bud Geary, Evan Thomas, Jack Pennick, Rod Cameron, Davidson Clark, Jack Chaplin, Chief Thundercloud, Harry Burns, Lou Merrill, Clara Blandick, Ynez Seabury, Eva Puig, Julia Faye.

CREDITS: Produced and Directed by Cecil B. De Mille; Associate Producer, William H. Pine; Associate Director, Arthur Rosson; Assistant Director, Eric Stacey; Photographed by Victor Milner and Duke Green; Original Screenplay by Alan Le May, Jesse Lasky, Jr., and C. Gardner Sullivan.

DIRECTION, Excellent. PHOTOGRAPHY, Brilliant.

Towers Theater Co. Sues 20th Cent.-Fox

(Continued from Page 1)

against 20th Century-Fox, alleging breach of contract. Damages of \$107,500 are asked for alleged violation.

The plaintiff claims that 20th-Fox broke an alleged verbal contract for pictures which induced him to buy the Towers, Camden, at a Sheriff's sale in June, 1939, for \$64,000 and spend \$124,000 for remodeling.

The plaintiff alleges that he was promised pictures which would be rejected by the Savar, 20th Century-Fox first-run outlet, and in return the Broadway, an Ellis house, was to waive seven days' protection over the Victoria, owned by the Varbalow interests, who have the Savar.

The plaintiff claims that all promises were verbal, but as a result he will lose \$15,000 in 1940 instead of making \$30,000 as planned. Breach of certain other promises is also claimed. Defense has 30 days to answer.

Rites Held Yesterday For Maurice A. Shea

(Continued from Page 1)

a few friends attended the ceremony, as news of his death was not widely circulated until yesterday morning. Among those present were Mr. and Mrs. James R. Grainger, Mrs. W. F. Rodgers, Harry Gold, Bert Sanford, Ed McEvoy, Ted O'Leary and members of the Shea Theaters Corp., and Shea Chain, Inc. staffs. Companies have 45 houses in N. Y., Mass., N. H., Penn., R. I. and Ohio.

Shea had been in poor health for several years and had been in his office only once since last November. He had been in the theater operating business for many years and at various times was manager for Will Rogers, Irene and Vernon Castle and Elsie Janis.

Surviving are his widow, three sons and a daughter.

Canadian Gov't Still Studies Kid Admissions

(Continued from Page 1)

will be submitted at the next session, is still a matter for final decision, he said.

According to Girouard, there are two schools of thought. The first would like to see children allowed to see certain types of films, to be chosen by the Province of Quebec Censorship Board. The second, headed by the religious authorities, would leave full authority over films for children with these authorities under the jurisdiction of the Provincial Secretary.

William N. Cotten Dead

Greenfield, Mass.—William M. Cotten, 65, veteran Lawlor Bros. projectionist, died after a long illness.

Kodak's Emery Huse Is New SMPE Prexy

(Continued from Page 1)

International Projector, was elected executive vice-president, succeeding N. Levinson. A. C. Downes, of National Carbon, was elected editorial vice-president, succeeding J. I. Crabtree, who held the office for a number of years. William C. Kunzman, convention vice-president, was returned for another term. The new secretary, following J. Frank, Jr., is P. J. Larson, New York consulting engineer and patent expert. George Friedl, Jr., of International Projector, is Treasurer, taking over from R. O. Strock, who has been nominated chairman of the Atlantic Coast Section of the Society.

The new officers will be introduced at the 47th semi-annual banquet and dance tomorrow night, when winners of the Society's Progress Medal and the Journal Award will be announced. Max C. Batzel of RCA, and Loren L. Ryder, head of Paramount's studio sound department, were elected to two-year terms on board of governors and T. E. Shea, engineering vice-prexy of Erpi, to fill an unexpired term of one year on the board.

Coast Believes Bronston Will Seek UA Release

West Coast Bureau of THE FILM DAILY

Hollywood — It is generally believed here, despite abrogation of the agreement between Samuel Bronston Productions and James Roosevelt, due to the fact that the latter is entering the military service, that Bronston will seek a releasing deal through United Artists. The Bronston-Roosevelt agreement provided for a UA release of their product, but with Roosevelt's withdrawal it was first believed that Bronston would arrange for distribution with some other major distributor.

Bronston Productions will proceed with the original plans and will place "Martin Eden" in work on Dec. 2, with Lloyd Bacon directing.

Roosevelt's Globe Productions will make "Pot o' Gold" as originally planned, with Henry Henigson supervising.

D.A.R. Wants "Ain't" Dropped in Dialogue

Washington Bur. THE FILM DAILY — "Ain't, ain't got, and they was" will be taboo in the movies, if some of the members of the motion picture committee of the District D.A.R. have their way.

At a meeting of the committee last week A. Julian Brylawski, president of the D. C. Theater Owners Association, undertook to answer the charge that the movies promote bad language.

Citing the current film "Knute Rockne" which he praised as an inspiration to American youth, Brylawski pointed out that many of the characters in that did not use classroom English and if they had, it would have been incongruous.

RKO Extends Singles-Duals Experiment To Four More of Its Metropolitan Theaters

RKO's experiment at Proctor's 86th Street giving single feature convenience and a second film for the duals fans, has been working out so well that the plan has been adopted by RKO's three Rockaway houses, the Columbia, Strand and Park, and the newly acquired Marble Hill, 231st Street and Broadway. The main feature starts nightly at 9:30 o'clock, finishing a few minutes after eleven o'clock. The second picture then goes on, keeping the double feature advocates happy.

208 "Dictator" Dales Over Loew's and FWC Wanger Halls Prod'n For "Fantasia" Debut

(Continued from Page 1)

the film. Loew deal calls for 30 key city engagements with openings from Oct. 31 to Nov. 6 on a 70-30 selling basis with admission scales from 70 cents to \$1.10.

FWC will play the picture in 178 situations opening through November and December. First showing will be at the Carthay Circle, Los Angeles, on Nov. 14.

Canadian premiere has been set for Ottawa on Nov. 4.

Expect Dictator to Hit All-Time Weekly High Here

First week of Charles Chaplin's "The Great Dictator" at the Capitol and Astor Theaters, Broadway, is expected to hit an all-time high gross at both theaters.

Receipts at the Capitol are expected to be more than \$117,000. Astor's first week gross probably will go over the \$20,000, representing greater than capacity business.

NWMP's Canadian Debut Crowd Tops Royal Visit

Regina, Saskatchewan — World premiere of Para's NWMP, plus stellar n.a.s. by Madeleine Carroll, Robert Preston, Preston Foster and Lynne Overman, at the Metropolitan, Rex, Grand and Capitol theaters here last night drew an estimated crowd of 75,000, topping that attracted by British royalty's visit. Delegation of Canadian dignitaries attended.

Following the premiere, Miss Carroll went on the air on a Dominion-wide hookup to make an appeal for the Canadian Red Cross. Province ball closed the crowded day's program.

Today, the four players leave for Winnipeg, on the first lap of a trip to Chicago, where they will join Cecil B. DeMille and Garv Cooper and Paulette Goddard, for the American premiere on Thursday.

First UA Convention In S. A. Opens Today

Buenos Aires (By Air Mail) — United Artists' first South American convention opens here today with Walter Gould, Latin-American division manager, presiding.

Attending, among others, will be Guv Morgan, of Argentina; Sam Seidelman, currently in B.A.; Victor Schochet, of Peru; M. Isaac, of Chile; Ernest Baez, of Brazil, and Bernard Glucksman, UA distributor in Uruguay.

Admission Tax Receipts Soar

(Continued from Page 1)

tember, 1939, representing a gain of \$3,999,398.99. It is also \$1,444,557.95 more than the \$4,407,097.13 collection for the previous month of August, 1940.

Broadway area collections show similar gains, with \$936,486.04 reported for September, 1940, compared to \$545,092.44 for the same month of last year. This represents a gain of \$391,393.60. The September figure is also \$386,894.22 more than the \$549,591.82 Broadway collection for August, 1940.

Mulock Under Knife

Denver — C. A. Mulock, manager of the Palace, underwent an operation at Fitzsimmons Army hospital here.

Mrs. Hyman Schwartz Dead

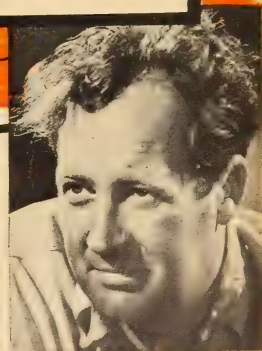
New Haven — Mrs. Hyman Schwartz, wife of the operator of the Hillcrest Theater, Taftville, died at her home here, after a long illness.

"Dr. I. Q." in Cincinnati

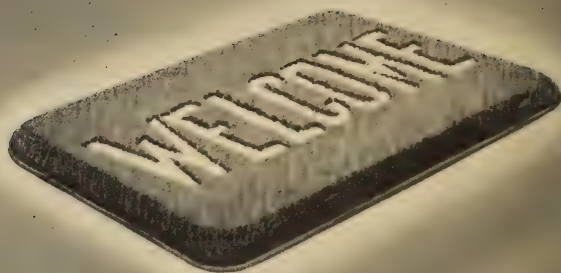
Cincinnati — "Dr. I. Q." starts at the RKO Albee Nov. 25 as a Monday feature.

This is Smitty...

... a cynic with a secret... yet not too hard to wish Oley a safe return.



SMITTY, played by Ian Hunter, is one of the unforgettable characters in JOHN FORD'S production of Eugene O'Neill's "THE LONG VOYAGE HOME" which Walter Winchell calls "a superb picture"



**TRADE-MARKS ENDURE
WHEN THEY STAND FOR
QUALITY... SERVICE
...DEPENDABILITY!**

That's why the Prize Baby and the theatre advertising products he represents have an ever increasing popularity in this glamorous business ☞ That's why our friends multiply and our products improve ☞ That's why our organization grows and our service expands ☞ That's why we are proud of our product and the industry we serve ☞ That's why we keep quality up and costs down ☞ That's why so many showmen welcome the Three Best Seat Sellers in the Business

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 81

NEW YORK, WEDNESDAY, OCTOBER 23, 1940

TEN CENTS

FIVE MAJORS ACCEPT DECREE

Report Great Britain Raises Remittance Offer

**Foreign Dept. Heads Here
Refuse to Reveal Nature
Of the U. K. Proposal**

London (By Cable)—A new remittance plan is reported to have been forwarded to American distributors. While details are lacking here, it is understood that the figure is somewhat larger than the original \$5,000,000 said to have been proposed. Present agreement expires Oct. 31.

Foreign department heads of major companies met yesterday at the MPPDA offices to consider the new remittance plan, but none would reveal the nature of the proposal.

Warner Stockholders To Name 5 Directors

Five directors will be elected at the annual Warner Bros. stockholders meeting Dec. 9 in Wilmington, it was learned yesterday. All directors to be voted on are up for reelection with the exception of Joseph H. Hazen, whose name has replaced that of Sam E. Morris. Term on the board is for two years.

In addition to the election regular company business is on the agenda. Incumbent directors on the

Considine to Washington To Discuss Bolivar Pix

John Considine, M-G-M producer, goes to Washington tomorrow to discuss his proposed production on the life of Simon Bolivar with State

British Gov't Plans Extensive Film Use

Further mobilization of the British film industry as a war agency was indicated yesterday in an Associated Press cable from London. Said the story: "Speaking to a group of film industrialists, Lord Croft said the Government planned to use motion pictures extensively to show British soldiers the weak points in the animal against whom they have to fight."

Editorial **Duals Again** ... why blame exhibits?

By CHESTER B. BAHN

ACTION of the Better Films Council of Greater St. Louis, Inc., in calling upon all theater operators in that territory to promptly define their stand on that problem child of the film industry, the multiple feature, serves to sharply point up anew a second equally perplexing problem.

That is the role which lay groups properly may play in this business. The subject is made the more timely by some other developments arising from provisions of the proposed New York equity suit consent decree and suggestions advanced as to how they may be utilized.

Lay groups' concern with a medium which weekly attracts a U. S. attendance of from 53 to 85 millions, depending upon whose estimate you prefer, is natural. And for their interested co-operation down through the years there is both gratitude and appreciation.

Law Forces Reorg. Of French Industry

Vichy (By Cable)—A complete reorganization of the French motion picture industry will be necessary under the terms of the anti-Semitic measure as revealed here. Most drastic part of the law restricting the activities of Jews, relates to the

'Cold' Sound-Stage Developed Permits Actual Snow Storms for 'Shooting'

Peter Wells Named Prexy Of Variety Artists Guild

Peter Wells was elected president of the American Guild of Variety Artists at a meeting yesterday at the Hotel Edison. Other officers elected were Elton Rich, first vice-president; Romo Vincent, second vice-president; Hazel Scott, third vice-president; Sydney Chatton, fourth

Paramount Compromises on B & K Contempt Case, Clearing Way for Accord Between the 'Big Five' and Gov't; Decree to Goddard Oct. 29

The Government yesterday announced the end of long-drawn negotiations and the completion of both the decree and the rules of arbitration with the five negotiating companies in the New York equity suit. Complete accord on all questions of the complex anti-trust suit was dramatically announced after a late hour session.

West Pa. AMPTO Firm In Decree Opposition

Pittsburgh—The AMPTO of Western Pennsylvania remained firm in its opposition to the consent decree in the New York equity suit at the conclusion of its session here yesterday. Opposition was especially aimed at the blocks of five pictures provision.

A closed business session was held in conjunction with the board of directors of national Allied.

Abram F. Myers, general counsel for national Allied, discussed the consent decree extensively, but refused

Picture Pioneers Will Initiate Class of 30

Avalanche of reservations for the Fall Conference Dinner of the Picture Pioneers, which will feature "Circus Night At The Astor," has been so great for the gala affair tomorrow night that the festivities will

Special Assistant Attorney General Robert Sher stated that Paramount had agreed to a compromise on the B & K contempt case early in the afternoon after receiving word from Chicago. No further work is required, he said, on the decree or the rules of arbitration. Assistant Attorney General Thurman W. Arnold has already passed on and approved the decree itself, officials said, but

(Continued on Page 6)

Say Freidday Voted For "U" Board Acts

Filing yesterday of a Supreme Court suit for accounting and damages by William Freidday, director of both Universal Pictures and Uni-

Bosley Crowther Heads New York Film Critics

Bosley Crowther of the New York Times was elected president of the New York Film Critics Circle at a

(Continued on Page 7)

5-15 Years In Prison for Stench Bombing

Detroit—Severe penalty of 5 to 15 years was imposed upon two men convicted of stench bombing Associated Circuit's Center Theater by Judge Donald Van Zile, following a jury trial. The defendants were convicted on two counts, but sentence was actually imposed only on one, so that it could, theoretically be doubled later. The prosecution signals the first conviction in a series of at least three stink bomb attacks on theaters here in recent months.

THE Film DAILY

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JOHN W. ALICATE : : : : Publisher

DONALD M. MERSEAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Fredman, The Film Renter, 127-133 Wardour St., W. 1, PARIS—P. A. Harte, La Cinematographie Francaise, 29 Rue Marsoulan (12). MEXICO CITY—Marco-Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Tuesday, Oct. 22)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	8 1/4	8 1/4	8 1/4	+ 3/8
Col. Pict. vtc. (2 1/2 %)	5	5	5	0
Columbia Pict. pfd.	3 1/2	3 1/2	3 1/2	0
Con. Fm. Ind. pfd.	8 1/2	8 1/2	8 1/2	0
East. Kodak	134 1/2	133	133 3/4	- 3/8
do pfd.				
Gen. Th. Eq.	27 1/2	27	27 1/4	+ 1/8
Loew's, Inc.	27 1/2	27	27 1/4	+ 1/8
do pfd.				
Paramount	9	8 3/4	9	+ 1/4
Para. 1st pfd.	92 1/2	91	92	+ 1/2
Paramount 2nd pfd.	10	9 3/4	10	+ 1/4
Pathe Film	11 1/2	11	11 1/8	+ 3/8
RKO				
20th Century-Fox	6 1/2		6 1/8	+ 1/8
20th Century-Fox pfd.				
Univ. Pict. pfd.	82	82	82	0
Warner Bros.	2 3/4	2 3/4	2 3/4	0
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4	
Loew's deb. 3 1/2	
Para. B way 3 1/2	
Para. Pict. 6 1/2	
Para. Pict. cv 3 1/4	
Warner Bros. deb. 6 1/4	

NEW YORK CURB MARKET

Monogram Pict.	1/2	1/2	1/2
Sonotone Corp.	8 1/2	8 1/2	8 1/2
Teletcolor	8 1/2	8 1/2	8 1/2
Trans-Lux	1 1/2	1 1/2	1 1/2
Universal Corp. vtc.			
Universal Pict.			

GTE Reports 3 Months Net Profit of \$173,797

General Theaters Equipment Corp. and subsidiaries, excluding Cinema Building Corp., report for the three months ended Sept. 30, 1940 consolidated net profit of \$173,797 after provision for depreciation and for estimated Federal income tax. This compares with \$154,347 for the similar period in 1939.

For the nine months ended September 30, 1940, consolidated net profit of the corporation was \$582,115 compared with \$482,577 for the like 1939 period.

Duals Again

... why blame exhibits?

(Continued from Page 1)

ciation in New York, Hollywood and wherever there is an industry outpost.

BUT however sincere and well-intentioned, there are occasional instances where proffered co-operation sizes up instead as something else and, in 99 out of every 100 of those cases, bespeaks a lack of understanding of industry operations, the whys and the wherefores.

Take the St. Louis Council's present demand that every theater operator say, "concisely and unequivocally," whether he will support a move for the return of single features. Leaving aside the advisability and the desirability of ending duals and triples, it evidently is the Council's premise that the exhibitor, alone, is responsible for multiple feature programs.

Of course, he is not. The average exhibitor in this respect is a victim of circumstances. And circumstances by and large means Hollywood. Admittedly, there are contributory causes, economic and competitive, but essentially it was the poor picture which first led the exhibitor to add a second feature. Perhaps that isn't 100 per cent correct, for production has not slipped so much as the public's cinematic education has advanced. Picture-wise as never before, the public today is prone to dismiss the equivalent of yesterday's "A" as a "B".

AND what about the findings in the recent Gallup poll on duals? Forty-three per cent favored duals, and the percentage rose to 66 on the basis of two good features on each program. The St. Louis Better Films Council would have done well to have preceded its demand on its friends, the exhibitors, with a bit of research. And if it had, undoubtedly it would have sought the duals problem solution otherwise.

A final thought. "Long programs are a physical and mental strain on children and young people," says the Council. Perhaps. So are a few other things. Yet when Johnnies eat too much candy, Mom doesn't demand that the corner store reduce the amount sold for a nickel.

Mom, after all, has a job, too.

Para. Execs. Off Today For NWMP Chi. Opening

Paramount's home office delegation to the opening of "North West Mounted Police" leaves today for Chicago where the picture is to be premiered at the Chicago and State-Lake Theaters tomorrow. Party includes Mr. and Mrs. Barney Balaban, Stanton Griffis, Sam Dombow, Leonard Goldenson, and Alex Moss, all by plane. Neil Agnew, Charles Reagan and Robert Gillham will go by train.

Para. May Get Pa. Censors Answer on 'Flames' Today

Pennsylvania State Censor Board may give its answer to Paramount's request for reconsideration of a ban against "The World in Flames" today or tomorrow. Whether the board will see the picture again or pass judgment on Paramount's arguments has not been determined.

Davilla's "Desert Song" Suit Dismissed by Court

Louis D. Frohlich, prominent film attorney and counsel for Ascap, led an impressive list of defendants to victory yesterday in local Federal Court where, after a three-day trial, Judge Samuel Mandelbaum dismissed the suit of J. J. Davilla who charged that Sigmund Romberg's "Desert Song" infringed on his own "You Are My Spider and I Am Your Fly." Defendants included Harms, Witmark, Schwab and Mandel, RCA Victor, Brunswick, Warner Bros., NBC, CBS, WHN, Bamberger Broadcasting Service, Knickerbocker Broadcasting, and others.

NBC to Send Out Tele Test Patterns Friday

NBC will send out television test patterns on its tele station Friday and Saturday, it was announced yesterday by Alfred H. Morton, vice-president in charge of tele. Purpose is to determine necessary changes and for the convenience of set owners.

On Sunday night NBC will telecast a motion picture, the first program since the station shut down on Aug. 1. Effective next week the station will transmit on an indefinite schedule, announcing telecasts at the conclusion of shows.

Mono. Releasing Giveaway Locally in Five Spots

Detroit—Monogram is releasing "Film Fumbles," screen giveaway, on a local basis in Detroit, Charlotte, Memphis, New Orleans, and Atlanta, according to Lloyd Hammond, producer. Arrangements are being made with Monogram in Cincinnati and Chicago.

Other territories will be dated later. Plans call for moving all prints at a time from one territory to another, in order to allow the \$5,000 weekly giveaway upon a territorial basis by playing day and date throughout a booking territory.

Sanchez to Distribute Spanish Language Films

Arthur Sanchez has formed Trans-Oceanic Film Export Co. for the distribution of Spanish language pictures. Company has been chartered with 200 shares of no par value stock.

Sanchez is en route to Mexico where he hopes to interest producers to make pictures for his organization.

60% in Back Salaries For GN's Employees

Peter B. Olney, referee in bankruptcy, has issued an order stipulating that employees of the defunct Grand National organization be paid 60 per cent of salaries due them at the time the company ceased operating. These back salaries are expected to be paid within the next two weeks by the trustees.

COMING and GOING

BARNEY BALABAN and wife, STANTON GRIFFIS, SAM DOMBOW, JR., LEONARD GOLDENSON and ALEC MOSS of Para. leave by plane today for Chicago to attend the American premiere of NWMP.

TYRONE POWER comes East next week to attend the premiere of his latest 20th-Fox film "The Mark of Zorro," in Cincinnati on Nov. 1 and then will spend several days in New York.

CHARLES VIDOR and his wife are here from the Coast, guests at the Waldorf-Astoria.

MADELINE CARROLL arrives in Toronto by plane on Friday to attend functions attending on opening of NWMP there. WILLIAM H. PINE, co-producer of the film, will also be in Toronto for the opening.

NED SPARKS has returned from a visit in Philadelphia and is stopping at the Warwick.

BERT WHEELER has left for Hollywood to act in Paramount's "Las Vegas Nights."

JOSEPH MULLEN, WB's Mexican manager, has gone to Hollywood from New York for studio conferences.

BILL ELLIOTT, Columbia's western star, goes to Dallas at the week-end to make p.a.'s there and in other Texas towns in connection with showing of "Prairie Schooners."

LEO CARRILLO, will go to Kansas City upon invitation of Governors of Missouri and Kansas. He is grand marshal of the American Royal annual livestock show on Nov. 9.

ROUBEN AMOULIAN leaves the Coast today for New York.

SAM WOOD is set to leave the Coast tomorrow for a two-week vacation in New York.

BOB SISK returns to the Coast today.

JOHN CONSIDINE goes to Washington tomorrow.

JOSE RAVENTOS, prominent Costa Rican exhibitor, is visiting in New York.

Attorney General ROBERT JACKSON is expected to return from his Jamestown home to Washington today or tomorrow.

THURMAN W. ARNOLD, Assistant Attorney General, left Washington last night for Cleveland and Chicago.

M. J. SIEGEL, Republic's studio head, is scheduled to arrive in New York on Monday from the Coast.

PHIL GRAVITZ, Metro booker, New Haven, is on a week's vacation in Brooklyn.

L. W. CONROW, Altrec president, is back at his desk in New York after a two weeks' trip to the Midwest, South, and Southwest.

FRANK PHELPS, Warner labor rep., is in Chicago for negotiations with operators' local on new contract.

BEN KALMENSEN is in Chicago.

Signs for Films at 80

West Coast Bureau of THE FILM DAILY Hollywood—M-G-M yesterday signed a contract at \$500 a week with Adeline Reynolds, San Francisco widow, aged 80. She begins work today with Hedy Lamarr and James Stewart in her first screen role.

"Happy Birthday to You"



From THE FILM DAILY to

Harry Cohn
Sally O'Neill
Fred Datig

**"LONDON
CAN
TAKE IT!"**

**PRINTS IMMEDIATELY
AVAILABLE FROM
WARNERS!**

Report "Cold" Sound Stage Developed

(Continued from Page 1)

proached 85 degrees, authentic movie scenes were photographed in the special "cold" studio, at a temperature of 21 degrees that varied only imperceptibly despite the glare and heat of an ordinary studio lighting system, R. Van Slyker, head of R. Van Slyker Enterprises, told the convention. Van Slyker declared that the low-temperature studio operated effectively even with Technicolor photography.

He said the California Consumers Corporation, Los Angeles, has set aside one of its ice houses to introduce the studios to the new methods of making realistic snow scenes. Snow is manufactured by means of portable blowers which grind 50 pound cakes of ice into powder and expel the snow through special nozzles when and where needed.

A radical new camera boom and dolly which, though of intermediate size, operates more efficiently than any other unit of the largest size, was also described by John Arnold, of Metro studios. The new unit employs the principle of the modern airplane fuselage. The boom will literally lay the camera on the floor or raise it, through any imaginable series of positions, to a height of 16 feet.

Tonight's 47th Semi-Annual Banquet of the Society will be a high point of the 5-day convention, which closes Friday night. Winners of the SMPE Progress Medal, awarded annually for outstanding contributions to the motion picture industry, and the Journal Award, given for the outstanding paper published each year in the SMPE Journal, will be announced. New officers elected Monday, will be introduced.

WEDDING BELLS

Denver—Miriam Briggs, daughter of E. P. (Buzz) Briggs, manager of the State Theater, and William Ostenberg, Jr., son of William Ostenberg, Sr., owner of several theaters in and around Scottsbluff, Neb., will be solemnized at St. Thomas Episcopal Church here Nov. 8. The groom-to-be is manager of the Bluffs Theater in Scottsbluff, where the couple will make their home.

Des Moines, Ia.—Jean Post of Republic's local office and Dorothy Wilson, also of Des Moines, will wed in November.

Detroit—James F. Sharkey, RKO branch manager, has disclosed his marriage to the former Margaret Alice Page.

Detroit—Harry Levinson, RKO office manager, and Verone Walther, candy girl at the Michigan Theater, were married Monday.



● ● ● BAGGED from the mail bag:.....William F. "Silent Bill" Haddock.....who's packed with amusement field lore.....picked up a recent issue of your favorite trade paper.....and saw where credit was given to Frank Crane.....as making the first personal appearance in our industry annals.....Mister Haddock avers that the initial p.a. laurel should go to Florence Lawrence and King Baggot jointly.....St. Louis was the spot.....and the Spring o' 1910 was the time.....saith articulate "Silent Bill".....We're putting our historical bounds on this question.....In the interim.....thanks, Mister Haddock, for the info!.....

● ● ● MAIL bag (continued):.....From Baltimore comes an excerpt from a letter sent to Herman G. Weinberg.....active in foreign film publicity.....by the British Film Institute:....."We intend to continue for the duration and for long after.....At the moment, the current number of the magazine is being produced under some difficulties.....as the offices of the British Film Institute have been damaged by a bomb.....but we have secured new premises while the Demolition Squad is doing its dirty work.....Hitler hasn't got a hope and we are all extremely confident here.....We are a slow-moving nation.....but when we do get down to it.....it takes more than a gang of flea-bitten thugs to beat us.....The first batch of your destroyers.....arrived on Saturday.....and cheered us a lot!".....(Date of this letter: Sept. 30).....

● ● ● 'NOTHER missive outa Albany:.....New York State's only exhib.-legislator.....Assemblyman Bill Webb of Delaware County.....announced he has temporarily resigned from the theater biz as the Legislature convened in special session yesterday.....Webb, who was manager of the Sidney Theater, Sidney, for Bill Smolley's circuit.....led the fight against an impost on billboards last Spring.....The issue was used against Webb in his recent primary fight.....but he won by a large plurality.....On leave of absence for the campaign.....Webb revealed he will not return to his theater duties at this time.....

● ● ● REPUBLIC'S senshashnal western star.....Mister Gene Autry.....is gonna gallop away from the Rodeo at Madison Sq. Garden for a little while tomorrow.....to sing a sweet sagebrush song.....as a glowing feature of Ascap's Cavalcade of American Music at the N. Y. World's Fair.....By the way.....dates for Gene's personal appearances in Toronto's Coliseum have now been definitely set for Nov. 14-16.....Proceeds of this latter show (in the form of a monster rodeo) will go to the Lord Mayor of London's fund for aid to bomb victims.....

● ● ● STUFF:.....From Detroit.....Dr. Irwin E. Deer of MPPDA is scheduled to talk on "Problems of the Industry" before the Greater Detroit Motion Picture Council at the Y.M.C.A. Building on Nov. 1.....From Ed Kern.....Andre Heymann clarions he's acquired stage rights to Jean Giono's book "Regain," called in English, "Harvest".....From Phil M. Daly.....We don't know the name of the person who concocted that Kay Kyser direct-by-mail tidbit, but it's just about as clever and slick a job as we've seen in a long, long time!.....

« « « » » »

West Pa. AMPTO Firm In Decree Opposition

(Continued from Page 1)

to make a statement to the press. Convention, which headquartered at the Roosevelt Hotel, drew the largest attendance in the history of the local Allied unit. Following committee reports, unfinished business, new problems confronting the industry and means of protection against certain practices in the exhibition and distribution field were discussed. Sidney Samuelson talked on the Allied Information Department survey on product.

The following officers were elected: Eddie Beedle, president; Harry Walker, vice-president; Fred J. Herrington, secretary; Joseph Gellman, treasurer. New directors are M. A. Rosenberg, William Walker and Carl Poke.

Allied directors attending, in addition to Myers and Samuelson, were: Nathan Yamins of Massachusetts; Roy Harrold of Indiana; Col. H. A. Cole of Texas; P. J. Wood of Ohio; Ray Branch of Michigan; Herman Blum and Frank Hornig of Maryland; August Perkholtz and William Ainsworth of Wisconsin; Lee Newbury of New Jersey; Fred J. Herrington of Western Pennsylvania; M. A. Rosenberg, regional vice-president of the Eastern district and Western Pennsylvania.

The convention closed with a special banquet testimonial in honor of President Rosenberg who has served in that capacity many years, also as regional vice-president and member of the executive committee of national Allied. He was presented with a watch. Dancing and entertainment concluded the convention.

Bela Blau Rites Today

Funeral services for Bela Blau, 44, theatrical producer, who died suddenly Monday, will be held at 2 p.m. today at Universal Chapel, 52nd St. and Lexington Ave.

STORKS!

Elkhart, Ind.—Art Wartha, manager of the Indiana-Illinois local theaters, announces the birth of a son, Jerry Alan Wartha.

Indianapolis, Ind.—Donald Wright, manager of the Rivoli Theater here, is the father of a baby boy born at St. Vincent's Hospital.

Chicago—A baby girl was born to Lois and Irving Pearlman at the Mt. Sinai Hospital. Weighing 7 pounds, 14½ ounces the baby has been named Roberta May. Pearlman is the assistant booker at Essaness.

I. Levine, Imperial, New Haven representative, is grandfather of a new 8-pound baby boy, born to his daughter, Mrs. Samuel Lipshitz, at Grace Hospital.

Kenny Frances Hugh Mary Ann
BAKER • LANGFORD • HERBERT • BOLAND • MILLER in

HIT PARADE OF 1941

A REPUBLIC PICTURE



PATSY KELLY • PHIL SILVERS • STERLING HOLLOWAY • DONALD MACBRIDE • BARNETT PARKER • FRANKLIN PANEBORN • SIX HITS AND A MISS

BORRAH MINEVITCH and his HARMONICA RASCALS
AND A BRILLIANT CAST OF SCREEN AND RADIO STARS • JOHN H. KEE—DIRECTOR

5 Majors Accept Consent Decree

(Continued from Page 1)

has not yet seen the rules. Attorney General Robert Jackson will receive a copy of the decree and rules tomorrow or Friday, it was said, with approval expected to follow.

Goes to Judge Goddard Oct. 29

The decree, rules and an amended complaint which will refer to the three non-negotiating companies, United Artists, Universal and Columbia, will be handed up to Federal Judge Henry W. Goddard on Oct. 29.

Washington Bar., THE FILM DAILY

Washington — It may be "several weeks" before Attorney General Robert Jackson formally announces his decision on the proposed consent decree to end the New York equity suit insofar as the Big Five are concerned, it was indicated at the D of J last night. It was pointed out that the election campaign is in its final stages and that Jackson, who is "in and out of Washington," will desire to give some detailed personal study to the decree's provisions. The same is true of Assistant Attorney General Thurman W. Arnold.

29. The Court at that time will be asked to fix a date of hearing for exhibitors who may voice objections to provisions of the decree. Government spokesmen said that copies would be available for publication this Friday.

Agreement on the B & K contempt proceeding calls for the payment of a total of \$10,000 in fines by B & K, B & K Theater Management Corp., and Paramount Pictures. Barney Balaban, the fourth defendant, will be dropped by the Government as a defendant. The companies are to plead a *motte contendere* rather than making a formal guilty plea. The limitation in the original decree which barred circuits of five or more theaters from arbitrating clearance questions is to be modified in the Chicago area, it was announced. The rule will not apply to questions concerning first- and second-run theaters in Chicago and its suburbs or to first-runs in towns and cities outside of Chicago, but served by the Chicago exchanges.

Revamp FWC Decree

The Fox West Coast decree will be revamped after dropping of the suit entirely so that clearance questions may be heard when referring to first- and second-runs in Los Angeles, first-runs in L. A. suburbs and first-runs in other cities and towns in Southern California.

Government spokesmen said that a number of provisions in the decree have been broadened. Among those provisions added, it was learned, is one which provides that complaints on runs

Argentine Censors Okay "Mortal Storm"

Buenos Aires (By Air Mail)—M-G-M's "Mortal Storm" has been okayed by B.A.'s censors, after a few non-important cuts. Also approved was the British-made "Mad Men of Europe," distributed here by UA. The Argentine attitude is the more remarkable as until recently, even the slightest indication of anti-Nazi tendencies was sufficient to suppress a film. For instance, "Confessions of a Nazi Spy" has not yet been shown in Argentine although packed houses saw it in Montevideo.

CFI Earnings In Third Quarter at \$163,497

Net earnings of Consolidated Film Industries for the third quarter ended Sept. 30 were reported yesterday as amounting to \$163,497.40, after depreciation and normal Federal taxes. This is equal to 40½ cents on the 400,000 shares of \$2 preferred stock outstanding.

Net earnings for the nine months ended Sept. 30 totalled \$538,265.27, equal to \$1.34½ on the \$2 preferred.

Third quarter earnings in 1939 were \$232,000, while the first nine months of last year resulted in net earnings of \$574,258.

MPFE Guild Meets Friday

Motion Picture Film Editors Guild will meet in the Marine Room of the Hotel Capitol Friday night at 7:30. Monthly meetings will now be held on the last Friday instead of the last Tuesday.

which were filed with the NRA, but which were not disposed of, may be heard. Another change allows exhibitors who have filed complaints with the D of J within the past five years to be heard on questions of run. The new decree will also open the door for arbitration on questions of clearance even though it may affect existing licenses and franchises between defendants. This revises the previously published provision which exempted licenses and franchises granted before June 6, 1940. This exemption, however, it was stated, only applies where both parties are defendants in this suit.

Report "Little Three" Not "Actively Opposed"

In the wake of yesterday's hearing on the Government's equity action against major company defendants, sources close to the so-called "Little Three"—Columbia, Universal and United Artists,—asserted that these companies will not "actively oppose" the decree.

This decision will, it was explained, in no way stands in the path of their determination to reserve their respective rights. Further, the intention of each, it is understood, is to go before Judge Goddard, probably at next Tuesday's hearing, and state their objections to the document and relate why, in their opinions, the decree does not satisfy them.

«REVIEWS» Law Forces Reorg. Of French Industry

(Continued from Page 1)

"The Old Swimmin' Hole"

with Jackie Moran, Marcia Mae Jones, Leatrice Joy

Monogram 75 Mins.

(HOLLYWOOD PREVIEW)

WARM, HUMAN AND WHOLESOME PICTURE SHOULD APPEAL TO MANY TYPES OF AUDIENCES.

This is a warm, human, wholesome picture that should appeal to many types of audiences. It has been given expert, sympathetic direction by Robert McGowan. To Scott R. Dunlap goes important credit as producer.

Marcia Mae Jones gives a splendid performance as a youngster, who believes her father, Charles Brown, a kindly, country doctor, is not making rapid enough progress in his romance with Leatrice Joy. Jackie Moran is equally good as a boy interested in becoming a doctor and of being of much help to his mother, Miss Joy.

Charles Brown furnishes a fine portrayal as the doctor, who answers calls at all hours of the day or night, but who is a very poor bill collector. Leatrice Joy is capable, while other principals include Theodor von Eltz, George Cleveland, Dix Davis, Dorothy Vaughan, Sonny Boy Williams and Si Jenks. Dorothy Reid contributed an excellent screenplay, based on a story by Gerald Breitman.

Jackie, who is determined to be a doctor, leaves school to help his mother. Theodor von Eltz, an attorney, representing wealthy Cleveland, father of the man from whom Leatrice is divorced, tries to induce Leatrice to give up custody of Jackie to Cleveland. Jackie and his mother reject the idea, and von Eltz agrees with them. In fact, he decides to vacation in Oakdale, their home town, and when Marcia Mae feels that von Eltz will be a strong rival for Leatrice's affections, she spurs her father on to propose.

CAST: Jackie Moran, Marcia Mae Jones, Leatrice Joy, Charles Brown, Theodor von Eltz, George Cleveland, Dix Davis, Dorothy Vaughan, Sonny Boy Williams, Si Jenks.

CREDITS: Producer, Scott R. Dunlap; Director, Robert McGowan; Original Story, Gerald Breitman; Screenplay, Dorothy Reid; Cameraman, Harry Neumann; Sound Engineer, Karl Zint.

DIRECTION, Expert. PHOTOGRAPHY, Good.

Old Vaude Favorite Directs Queensboro Minstrel Show

William "Slim" Collins, former film and vaude actor of the team of Collins and Wilson, directed the minstrel show given last Saturday by the Queensboro Project Ass'n at the Queens Plaza Auditorium. Appearing on the program were Joan Whalen, youthful dancer; Joseph Grena whose sweet boyish treble is heard Wednesday and Sunday nights over WEVD; Santa De Fiore, promising baritone; and Mrs. Gertrude Weber in the role of Aunt Jemima, assisted by Richard Weber, in a Southern sketch.

press, radio and motion pictures.

All branches of the film industry are affected by the law which prohibits "without condition or reservation" Jews from acting as directors, managers, or business managers of organizations for the production, printing, distribution or exhibiting of motion pictures; producers and directors of films or writers of scenarios; directors, board members or managers of moving picture theaters and organizers of theatrical productions.

While the law is not as drastic as the German racial laws, no modifications are provided for the press, films or radio as is the case in other occupations where war service and various decorations act to lessen the restrictions. The French law defines a Jew as a man with three Jewish grandparents or a man with two Jewish grandparents and a Jewish wife. Part-Jewish French citizens will be affected.

Radio Indies Hope for H'wood Ascap Intervention

At the meeting yesterday of the National Independent Broadcasters at the Waldorf-Astoria, indie stations discussed the statement of C. O. Langlois, prexy of Langlois & Wentworth, Inc., on Tuesday, that there might be a possible falling off in box office receipts of motion pictures due to lack of plugs for songs over the air. Hope was expressed that such an eventuality might cause Hollywood producers of films with music to force Ascap to make a deal with broadcasters.

St. Louis Operators and Indies Agree on Contract

St. Louis—Local 143, Operators, and a committee representing the indie theater owners of this city and St. Louis County have reached an agreement on the extension of the present contract, unchanged for one year. Exhibitor ratification is slated this week.

TO THE COLORS!

Cincinnati — Larry Smith, Metro contract department, is the first man in Cincinnati film circles to join the colors. Smith left for the Army Air Training division, following enlistment.

Chicago — Julius Bland of the Bland Theater circuit, has enlisted in the U. S. Army Signal Corps and will leave for service in a few weeks.

Funnier and Funnier

Pittsburgh — They get funnier and funnier, those double bill titles. A pair which recently appeared on local marquees were "Money and the Woman" and "The Big Stampede"; "The Man I Married" and "Thanks for Everything."

Say Freiday Voted For "U" Board Acts

(Continued from Page 1)

versal Corp., against 27 defendants, including top company execs., was met with a brief Universal Corp. board statement which emphasized that "it is a matter of record that Mr. Freiday, who has been a director of the corporation since its inception, has voted in favor of the principal acts taken by the Board, about which he now complains."

The statement added, "Universal and its directors are confident that they will thoroughly answer these charges in Court when the case comes up for trial." The complaint sets up allegations of fraud, conversion of assets and mismanagement.

Defendants named include J. Cheever Cowdin, Universal's board chairman; Standard Capital Co., George N. Armsby, Charles R. Rogers, Nathan J. Blumberg, Paul G. Brown, Robert H. Cochrane, Daniel C. Collins, Preston Davie, Lawrence W. Fox, Jr., Peyton Gibson, Ottavio Prochet, Charles D. Prutzman, Adolph Ramish, J. Arthur Rank, Budd Rogers, Daniel M. Shaeffer, Samuel M. Spring, Willis H. Taylor, Jr., Universal Corp., Universal Pictures Co., Inc., Big U Film Exchange, Inc., Western Electric Co., Inc., Electrical Research Products, Inc., Eastman Kodak Co., G. C. F. Corp., Ltd., and Manufacturers Trust Co.

Freiday is the second director to file suit. Samuel Posen, another director, brought suit recently. Freiday repeats a number of charges of waste and mismanagement on the part of the defendants which Posen also had alleged, including an attack on the sale of Universal Pictures, Ltd., for \$600,000, claiming that the purchasers were ready to pay \$2,600,000.

The complaint demands that Universal discontinue distributing through Big U Film Exchange, contending that Universal should distribute its own pictures. The defendants, the complaint declares, have caused Universal to contract for the purchase or production of films in which the defendants allegedly had adverse interests. Salaries paid to some Universal officials, including Cowdin, Charles R. Rogers and Robert H. Cochrane, were excessive, the plaintiff alleges. Universal allegedly paid Cochrane \$200,000 on his discharge in February, 1938, according to the complaint. Finally, the plaintiff claims that excessive underwriting fees were paid on the issuance of \$2,000,000 of common stock to the public.

Freiday asks leave to intervene in the Posen suit.

"Triple Threat" Under Way

West Coast Bureau of THE FILM DAILY
Hollywood—George W. Weeks has started production on "Triple Threat," third of his Range Busters series for distribution by Monogram. Picture co-stars Ray Corrigan, John King and Max Terhune.

RCA's New "Line" Microphone Soon to Give Motion Picture Sound New High in Realism

West Coast Bureau of THE FILM DAILY

Hollywood—Realism to a degree never before achieved will soon be imparted to motion picture sound, radio broadcasts, and phonograph recordings by a new type of ultra-directional "line" microphone developed in the RCA Research Laboratories, the SMPE convention was told yesterday by Dr. H. F. Olson, its creator.

Because the new microphone can be operated from the vantage point of an imaginary audience at the time of recording, rather than in the immediate vicinity of the sound source, the millions who finally hear the original sound reproduced in theaters or on their radios or phonographs, do so with a perfect illusion of actual presence in the studio, Dr. Olson said.

"On the movie lot you can make distant shots without the use of a microphone boom, and get more realistic sound in the bargain by placing the new microphone beside the camera. It is extremely useful in television pickups, as well, and in all types of sound work. It is eight feet long, but perfectly balanced," Dr. Olson declared.

Considine to Washington To Discuss Bolivar Pix

(Continued from Page 1)

Department officials. Considine denied reports that South American governments had objected to the casting of Clark Gable as the liberator, declaring that such stories were "manufactured" in Hollywood.

Considine starts production on "Men of Boys' Town" on Nov. 4, although background shots are now being made in Omaha.

Following his trip to Washington, Considine will return to New York to see several current plays.

Bosley Crowther Heads New York Film Critics

(Continued from Page 1)

meeting yesterday. Herb Cohen of the Brooklyn Eagle was elected secretary. Former officers were Kate Cameron of the News, chairman, and Leo Mishkin of the Morning Telegraph, secretary.

Tentative date for the annual awards was set for Jan. 5.

De Mille Will Address Chicago Banquet Tonight

Chicago—Cecil B. De Mille, Gary Cooper, Madeleine Carroll, Preston Foster, Robert Preston and Lynne Overman arrive here today to join Paulette Goddard, who arrived earlier from New York, and participate in the crowded program incident to the American premiere here tomorrow night of Paramount's NWMP.

Tonight, De Mille will be the keynote speaker at the eighth annual banquet of the State St. Council, in the Grand Ballroom of the Palmer House. His speech will be broadcast from 10 to 10:30 P.M. (CST) on 94 CBS stations.

Over 2,000, including the visiting players, Governor John Stelle, Mayor Kelly, Bishop Bernard J. Sheil, and also Mayor LaGuardia of New York will attend the banquet.

Athole Stewart Dies

London (By Cable) — Athole Stewart, stage and film player, died in Buckinghamshire yesterday at the age of 61. He had been serving in the War Office.

Hubert Lillie, Actor, Dies

Hubert Wilkie, actor and singer, 85, died yesterday at his home in Yonkers. He had been leading man for Lillian Russell and Marie Tempest among other stars of the stage.

Warner Stockholders To Name 5 Directors

(Continued from Page 1)

ballot are Samuel Carlisle, Stanleigh P. Friedman, Charles S. Guggenheimer and Morris Wolf.

H. M., Jack L. and Albert Warner, Joseph Bernhard, Waddill Catchings and R. W. Perkins are the other members of the 11-man directorate. Terms of these members of the board expire in 1941.

New DeMille Company Starts at Roach Studio

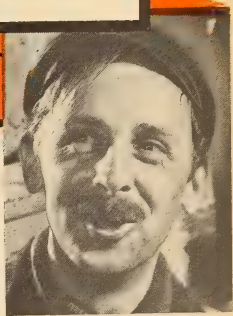
West Coast Bureau of THE FILM DAILY

Hollywood—Production headquarters of Cecil B. De Mille's newly organized Hollywood Quality Pictures, Inc., have been opened at the Hal Roach Studio, Culver City. Herb Moulton, in charge of production, will film the product for the Hollywood Talkitone coin machines in the Roach plant and will maintain his offices there.

Under this setup Moulton will be in direct charge of production and will direct the specially prepared product for the Talkitone machines. De Mille's position as vice-president of the new company does not conflict with, nor affect, his position as producer-director for Paramount Pictures.

This is Axel...

..a man with a dream..
just one burning thought
..and that not for himself
alone but for Oley.



AXEL, played by John Qualen, is one of the unforgettable characters in JOHN FORD'S production of Eugene O'Neill's "THE LONG VOYAGE HOME" which Louella Parsons calls "best sea story since 'Mutiny on the Bounty'".

LIGHTING EXPERTS

BESIDE the camera and behind the lens, lighting experts work in perfect agreement. Cameramen depend implicitly on the ability of Eastman negative films to bring out the best in every scene. The beauty of modern productions is striking evidence of the success of this partnership. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*

Fort Lee

Chicago

Hollywood

PLUS-X

for general studio use

SUPER-XX

when little light is available

BACKGROUND-X

for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

THE Film DAILY

FILE COPY
DO NOT

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 82

NEW YORK, THURSDAY, OCTOBER 24, 1940

TEN CENTS

ALLIED TO INTERVENE IN CONSENT DECREE "Little 3" To Face 70-Page Amended Complaint

**Expected to be Handed Up
To Judge Goddard Tues.;
Decree Requires 50 Pages**

The Government is putting final touches to a 70-page amended complaint against United Artists, Universal and Columbia in the New York equity suit which will be handed up to Federal Judge Henry W. Goddard on Tuesday, it was learned yesterday. The complaint is being prepared by Special Assistant Attorney General Robert L. Wright, and will center its attack on the selling methods of the

(Continued on Page 6)

Smith May Succeed Cole as Allied Head

Reports from some Allied sources indicate that Col. H. A. Cole will not be a voluntary candidate for re-election as president of the organization and that Martin Smith of Ohio looms as the likely successor.

There is also some talk of Jack Kirsch of Chicago becoming a like-

(Continued on Page 6)

Industry Co-op Praised By Nelson Rockefeller

Nelson A. Rockefeller, Co-ordinator of Commercial and Cultural Relations between the American Republics, speaking at the New York Herald-Tribune Forum here yesterday praised the motion picture industry which, he said, "has been most

(Continued on Page 7)

"Ramparts" Receives Ont. Premier's Okay

Toronto—Premier Mitchell F. Hepburn acted as an Appeal Judge of the Ontario Motion Picture Censor Board, here yesterday and released unchanged the March of Time war film, "The Ramparts We Watch." Last time Premier Hepburn sat in judgment on a film was when he barred the March of Time feature, "Canada at War," until after the Federal election last March.

SMPE PROGRESS MEDAL TO DISNEY

McMath Receives Journal Award at Society's Coast Convention Banquet

West Coast Bureau of THE FILM DAILY

Hollywood — Walt Disney was awarded the SMPE's Progress Medal last night for his achievement in developing the cartoon movie to its present status.

The Society also honored Robert R. McMath, of the McMath-Hulbert Observatory of the University of Michigan, with its Journal Award for his preparation of the most out-



WALT DISNEY

standing paper published in the SMPE Journal last year. Entitled "The Surface Of The Nearest Star," McMath's paper described his successful experiments in taking moving pictures of the surface of the sun.

Presentations were made at the Society's 47th Annual Banquet at the Hollywood Roosevelt Hotel, a high point in the five-day convention which concludes tomorrow night. At the same time, newly-elected officers were introduced by E. A. Wilford, of National Carbon, retiring president. They include Emery Huse, of Eastman Kodak, president; Herbert Griffin, of International Projector, executive vice-president; A. C. Downes, of National Carbon, Editorial vice-president; William C.

(Continued on Page 7)

9,000 Theaters Will Aid Red Cross Drive

Between 8,000 and 9,000 houses throughout the U. S. will participate in the motion picture theaters' campaign for the American Red Cross, it was estimated yesterday by

(Continued on Page 6)

Equipment Dealers Form National Unit

Chicago—Organization of the Theater Equipment Dealers Protective Association has been completed here, following a three-day meeting in the Congress Hotel of equipment

(Continued on Page 7)

Kennedy Brings Money Plan?

Report Envoy Has New U.K. Remittance Offer

Photophone Names Knaut International Sales Chief

Appointment of J. M. Knaut, who has been in charge of financial and accounting activities for the past eight years with RCA Victor Argentina, at Buenos Aires, as manager of RCA Photophone sales in RCA's International Division, was announced

(Continued on Page 7)

London (By Cable)—With Ambassador Joseph P. Kennedy now en route to the United States, it was reliably reported yesterday that he would present to American film companies upon his arrival a new offer covering monetary remittances which would allow American distributors in the U. K. to remit 100 per cent of the first \$8,000,000 and 50 per

(Continued on Page 7)

Board Instructs Myers To File Opposition to Provisions of Decree

Pittsburgh—In what is considered by some to be a surprise move, Allied yesterday came out officially in opposition to the proposed consent decree in the Government suit. The board of directors, in session here, instructed its counsel, Abram F. Myers, to file a brief or make a personal appearance, if permitted by the court, to oppose the decree, including the provision calling for the selling of pic-

(Continued on Page 7)

Majors to Parley On Decree Effects

The five major companies affected by the pending consent decree are reported preparing to hold individual parleys for the purpose of arranging and adjusting their 1941-42 production and distribution schedules to conform with the provisions of the decree.

As both production and distribu-

(Continued on Page 7)

\$100,000 Ad Campaign For "Pot o' Gold" Pix

James Roosevelt will put a \$100,000 ad campaign behind his first personally produced feature for UA re-

(Continued on Page 7)

Hard Pioneers Nix ... Milk Of Kindness

Jack Cohn, house manager of the Picture Pioneers, and his alert and co-indignant cohorts scouted a dastardly plot yesterday. Conspiracy involved Leon Bamberger and Rutgers Neilson who were discovered planning to smuggle Elsie, the beautiful Borden bovine, into tonight's "Circus Night at the Astor." Culprits denied they were motivated by the circumstance that Elsie has a prominent role in RKO Radio's "Little Men." Their defense is that they are innocent on the ground that they never let their left hands know what their udder hands are doing.

THE FILM DAILY

Vol. 78, No. 82 Thurs., Oct. 24, 1940 10 Cents

JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Friedman, The Film Renter, 127-133 Wardour St., W. 1. PARIS—A. A. Harle, La Cinematographie Francaise, 29 Rue Marsoulin (12). MEXICO CITY—Marco Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Wednesday, Oct. 23)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	8 1/2	8 1/4	8 1/2	+ 1/8
Col. Picts. vtc. (2 1/2 %)	5 1/2	5	5 1/2	+ 1/8
Columbia Picts. pfd.	1 1/2	1 1/4	1 1/2	+ 1/8
Con. Fm. Ind.	7 1/2	7 1/4	7 1/2	+ 1/8
Con. Fm. Ind. pfd.	8 1/2	8 1/4	8 1/2	+ 1/8
East. Kodak	134 1/2	133	134 1/2	+ 1/8
do pfd.	11 1/2	11 1/4	11 1/2	+ 1/8
Gen. Tr. Inc.	11 1/2	11 1/4	11 1/2	+ 1/8
Lows. Inc.	27 1/2	26 1/4	27 1/2	+ 1/8
do pfd.	9 1/2	9 1/4	9 1/2	+ 1/8
Paramount	9 1/2	9 1/4	9 1/2	+ 1/8
Para. 1st pfd.	95	93	95	+ 1/2
Para. 2nd pfd.	10 1/2	10	10 1/2	+ 1/8
Pathe Film	11 1/2	10 1/2	10 1/2	- 1/4
RKO	2 1/2	2 1/4	2 1/2	+ 1/8
20th Century-Fox	6 1/2	6	6 1/2	+ 1/8
Univ. Pict. pfd.	2 1/2	2 1/4	2 1/2	+ 1/8
Warner Bros.	2 1/2	2 1/4	2 1/2	+ 1/8
do pfd.	2 1/2	2 1/4	2 1/2	+ 1/8

NEW YORK CURB MARKET

Keith B. F. ref. 6446	102 1/2	102 1/2	102 1/2	+ 1/2
Lewins deb.	3 1/2 x 46	104 1/2	104 1/2	+ 1/2
Para. B'way 3555				
Para. Picts. 6555				
Para. Picts. cv. 3 1/4 x 97	92	92	92	
Warner Bros. dba. 6448				
Monogram Picts.				
Radio Keith war.	1/4	1/4	1/4	
Sonotone Corp.				
Technicolor	9 1/2	8 3/4	9 1/2	+ 1/8
Trans-Lux				
Universal Corp. vtc.	3 1/2	3 1/4	3 1/2	+ 1/8
Universal Picts.				

Conn. Allied After Members

New Haven—Connecticut Allied will wage a membership campaign under the captaincy of Shepherd S. Epstein of Boston.

BONDED

FILM STORAGE CORP.

1600 B'WAY, N. Y. C. - CIRCLE 6-0081-2-3-4

R. C. PRODUCTION ROOM—FILM STORAGE
FILM EXCHANGE DISTRIBUTION SERVICE

"Moonlight in Tropics" Debut at Paterson, Oct. 30

Universal has set the world premiere of "Moonlight in the Tropics" for next Wednesday evening at the Fabian Theater in Paterson, N. J., the home town of Lou Costello, of the stage and radio team of Abbott & Costello who make their first Hollywood film appearance in the "U" feature which also stars Allan Jones, Robert Cummings, Nancy Kelly and Leo Carrillo.

Mayor William Furey has decreed a half holiday for all school children that they may attend a parade for Costello in the afternoon. A huge benefit for the Paterson Community Chest Fund and St. Anthony's Church will be given in connection with the film's debut with stage and film stars participating. Governor Moore of New Jersey will attend.

Nazis Would Stop Cuban Showing of "Goose Step"

Havana (By Air Mail)—The Association of Exhibitors of Cuba has filed a formal request with the Ministry of State for authorization of exhibition here of "Executioners of Liberty," distributed in the U. S. as "Goose Step." Action results from a protest lodged with the Ministry by the German minister who protested that the picture was anti-Nazi propaganda. Film was okayed by the Cuban Film Censorship Board.

Hub MP Salesmen's Club Names Goldstein Prexy

Boston—Harry Goldstein has been elected president of the Boston Motion Picture Salesmen's Club, succeeding Harry Goldman. Other officers are: Harry Worden, vice-president; Harry Rosenblatt, treasurer; Maynard Sickels, secretary. Board of directors embraces Goldman, Tom Duane, Steve Broidy, James Connelly, Frank Dervin, Herman Konnis, Saul Simons. Sam Soroker is sergeant at arms. Installation and dinner dance are scheduled for Nov. 16.

Syracuse Palace, James Added to RKO-Schine Pool

Syracuse—The Palace and James Theaters have become a part of the RKO-Schine pool. Houses will be operated by the Schine circuit but will participate in the product arrangement. The James currently is open only on Saturdays and Sundays.

Philly MP Associates Will Fete Exhib. Sextet

Harrisburg, Pa.—Six local theater operators—C. Floyd Hopkins, I. Marcus, W. Yost, J. Engle, T. B. Heckard and Bert Karrer—will be honor guests at a dinner to be tendered by the MP Associates of Philadelphia at the Allisonia Club here Dec. 2. Hopkins, Marcus and Yost are industry pioneers.

Six More Features Go Before Coast's Cameras

West Coast Bureau of THE FILM DAILY

Hollywood—Current week's crop of six starters are:

At Columbia: "Penny Serenade" with Cary Grant and Irene Dunne. At M-G-M: "The Ziegfeld Girl" with Judy Garland, Hedy Lamarr and Tony Martin.

At Warners: "The Strawberry Blonde" starring James Cagney with Olivia de Havilland, Rita Hayworth and Jack Carson; and "The Case of the Black Parrot."

At Monogram: I. E. Chadwick's production tentatively titled "Her Father's Daughter" with Wilbur Evans and Edith Fellows; and Sam Katzman's next "East Side Kids" venture, as yet untitled, has a CCC camp background. Cast includes Leo Gorcey, Bobby Jordan, Donald Haines, Bobby Stone, David Gorcey, Sunshine Sammy, Eugene Francis, Carleton Young, Mary Ainsley, Nick Stuart, Kenneth Harlan, Kenneth Howell and Lloyd Ingraham.

"Land of Liberty's" Net For Service Welfare Work

Net earnings of "Land of Liberty," feature length picture sponsored by the MPPDA and distributed by M-G-M, released on a non-profit basis, will go to welfare work among soldiers and sailors by the American Red Cross and similar organizations.

In chronological order, the picture unfolds the history of America from the days before the coming of the white man to the present era. Among the stars appearing in individual sequences are Spencer Tracy, Bette Davis, Claudette Colbert, James Stewart, Margaret Sullivan, George Arliss, Walter Houston, George Raft, Don Ameche, Lewis Stone and others.

A special pre-release endorsement has been set for Nov. 12 in Williamsport, Pa. National release date has not been determined.

N. M. Exhib. Gets Added Time for Games Appeal

Santa Fe, N. M.—The New Mexico Supreme Court has granted J. E. Jones, Roswell theater operator, a 30-day extension of time to prepare a petition for a re-hearing on the court's recent decision declaring Bank Night illegal.

The Supreme Court in September reversed a previous decision which had given Bank Night an okay.

Film Alliance Sets Five

Film Alliance of the U. S. will release these five productions in order: Paul Lukas and Jane Baxter in "The Chinese Rueschlow"; John Lodge and Diana Rughall in "Sensation"; Jack Buchanan and Elsie Randolph in "Larceny Street"; Basil Radford and Sylvia St. Claire in "Secret Journey"; Ian Hunter and Mary Newland in "Death At a Broadcast."

COMING and GOING

ARTHUR WILLI, head of RKO's Eastern talent department, is in Chicago.

JEANETTE MACDONALD leaves Hollywood for an extended concert tour in the near future.

LEE BOWMAN left for the Coast yesterday after a 10-day stay in New York.

LESTER COLE, Warner writer, leaves Hollywood today for a two-week vacation in New York.

ROBERT SHER, special assistant attorney general, left for Washington last night.

NELSON EDDY leaves the Coast in the future for a concert tour.

ROBERT MONTGOMERY left for the Coast yesterday by plane.

JUDY CANOVA is at the Warwick.

ROLAND REED, RKO director, and MRS. REED, are at the Waldorf.

MARLENE DIETRICH will arrive here from the Coast next week.

A. R. BUTTON and R. J. McDONALD, of William Dieterle Productions, have returned to the Coast.

ABE MONTAGUE and RUBE JACKTER leave for Washington tomorrow.

Columbia to Hold Sales Meet in D. C. Saturday

Columbia's Mid-East Division will hold a sales meeting Saturday in the Mayflower Hotel, Washington, with Abe Montague, general sales manager and Rube Jackter, assistant sales manager presiding. Montague and Jackter will leave tomorrow for Washington. Session principally will be devoted to an analysis on sales and exhibition plans for "Arizona."

Exchanges, under Division Manager Sam Galanty to be represented at the sales meeting are Cincinnati, Cleveland, Pittsburgh and Washington.

Fine Rejoins M & P

Boston—Hy Fine has resumed his duties as M & P district manager in the Boston suburban district. He recently had been announced as joining Paramount Enterprises in Miami as general manager.

118 "Rockne" Holdovers

"Knute Rockne—All American" is being held over in 16 additional key city situations making a total of 118 holdovers recorded to date.

"Happy Birthday to You"

From THE FILM DAILY to

Byron Morgan
Gilda Gray
Arthur W. Stebbins
Dan I. S.-on
Josef Zimanich



**TODAY
IN NEW YORK!**

**DAY-AND-DATE FOR
THE FIRST TIME IN
HISTORY IN ALL
THESE B'WAY HOUSES!**

**RADIO CITY
MUSIC HALL
STRAND · RIALTO
PARAMOUNT
ROXY · PALACE
GLOBE · RIVOLI**

**LONDON
CAN
TAKE IT!**



**THE REEL, ON-THE-
SPOT NARRATION BY**

**QUENTIN
REYNOLDS
of Collier's**

PHONE NOW! WIRE NOW! TO

WARNERS



First week breaks all-
time money record for
the **CAPITOL THEATRE,**
New York, under *any*
policy for *any* picture.

ASTOR THEATRE, New York,
capacity and standees at every performance. (This
includes all matinees, evenings and special 6 p. m.
Sunday shows.) Advance sale, 8 weeks ahead,
points to record-breaking long run engagement.

Philadelphia, Aldine—October 23rd
Pittsburgh, Warner's—October 25th
Chicago, Apollo and Roosevelt—October 31st
Buffalo, Great Lakes—October 31st

And starting October 31st over the entire
LOEW CIRCUIT at advanced prices!



Charlie Chaplin
talks in his new comedy

in **The Great DICTATOR**

Produced, written and directed by CHARLES CHAPLIN

with PAULETTE GODDARD

JACK OAKIE • HENRY DANIEL • REGINALD GARDNER

BILLY GILBERT • MAURICE MOSCOVICH

Released thru United Artists

"Little 3" Will Face Amended Complaint

(Continued from Page 1)

three companies according to Government officials.

The consent decree which will be signed by the five major companies which negotiated with the Government for a decree will be 50 pages long, and the code of arbitration, a separate document, 15 pages.

Government officials stated yesterday that the revamped Fox West Coast decree has been completed, and that revision of the B & K decree was also expected to be completed late last night. Both decrees are being revised to conform with the terms of the decree.

Special Assistant Attorney General James Hayes put the final touches to the consent decree yesterday in the form of punctuation and spelling corrections.

Robert Sher, also a Special Assistant Attorney General, left for Washington last night with a copy of the decree. It was said that in the event Attorney General Robert Jackson prolonged his absence from Washington, a copy of the decree would be sped to him by air mail at his Jamestown, N. Y., home.

9,000 Theaters Will Aid Red Cross Drive

(Continued from Page 1)

Maj. L. E. Thompson, general chairman of the theaters committee.

It was re-emphasized at the committee's headquarters yesterday that theater participation in the campaign, designed to increase Red Cross enrollment, is restricted to those places where the Red Cross conducts an organized drive. Approximately 6,000 theaters are said located in small communities where no organized enrollment is planned at this time.

About 1,000 theaters in larger cities likewise cannot participate in the campaign planned at this time because the Red Cross membership drive is combined with the local Community Fund campaign, or is deferred to a later date.

Smith May Succeed Cole As President of Allied

(Continued from Page 1)

ly candidate, although Smith has the advantage of longer service and more experience. Both head Allied units in their respective states.

Election of officers takes place in January at the annual meeting of the board of directors in Washington.

Armetta Signs for Four

West Coast Bureau of THE FILM DAILY

Hollywood — Henry Armetta, has signed four-picture starring contract with T. H. Richmond Productions which will distribute through Producers Releasing Corp. Armetta's first picture will be "It Happened to Me."



● ● ● RIGHT NOW.....Chicago is no toddlin' town.....It's kinda hysterical.....in anticipation of the U. S. premiere tonite..... of Cecil B. DeMille's Technicolor epic....."North West Mounted Police".....via the screen of B & K's State-Lake.....So virulent appears to be the cinematococcus germ being borne about.....by the zephyrs (excuse the understatement) of the Windy City.....that it has knocked the center of the city for a Loop.....and the whole town is coveting about.....in what has been definitely diagnosed.....as seeing stars.

● ● ● YES'DAY the impatient "patients".....swarmed all over midtown.....for ga-ga glimpses of Paulette Goddard, Gary Cooper, Madeleine Carroll, Preston Foster, Robert Preston and Lynne Overman.....and the good Doctor DeMille who is gonna activate the patients' entertainment corpuscles.....by what is scientifically known as the Mountie Method involving the Doctor Kalmus spectrum.....To witness the gala operations at the State-Lake Cinema Clinic.....a group of prominent Paramounts.....get in.o Chi. early today.....They are Barney Balaban, Stanton Griffis, Sam Dembow, Jr., Leonard Goldenson and Alec Moss (by plane).....and Neil F. Agnew, Charles Reagan and Robert M. Gillham (by rail).....

● ● ● LAST night.....the good Doctor DeMille.....delivered a radio "lecture" over a mere 94-station hookup of CBS.....from the Palmer House.....where a modest gathering of about 2,000 of Chi.'s leading citizens.....sat around in costly "dressings".....and indulged delightfully in dietetics.....In addition to Chi.'s Mayor Kelly.....our own Mayor Fiorello was in attendance.....The latter is temporarily "interned" out that way.....and is reported so copivated with the sartorial tunics of the Mounties.....that he is considering garbing our bluecoats.....in the same outfits.....even though the move might make the face of Manhattan.....and its sister boroughs appear as though they had.....scarlet fever.....

Theater Auto Drawings Ruled Lottery in Ariz.

Phoenix, Ariz. — Court decision which may lead to the banning of auto drawings in Arizona theaters has been handed down here by Judge G. A. Rodgers in Maricopa County Superior Court.

The decision, was issued when Judge Rodgers dismissed a suit brought by Robert Brazee, Phoenix, for \$2,000 against the Fox West Coast Agency Corp. and Ed Rudolph, Phoenix automobile dealer. Brazee contended his number was drawn but the defendants refused to award him an automobile.

Judge Rodgers held that the defendants were "unquestionably engaged in a lottery." Brazee was a party to the lottery, he said, and the court could not accept the suit.

Reopens Aberdeen House

Tacoma, Wash. — Pete Constanti, has re-opened his Roxy Theater at Aberdeen. House was closed some six months due to strikes in the lumber industry.

O'Leary, Comerford Head, Gets Gift From Employees

Seranton — John J. O'Leary, new head of Comerford Theaters, Inc., awarded prizes to the Capitol Theater team, winner of the Comerford Theaters Softball League competition, at the second annual softball dinner here and then was presented with a gift himself on behalf of Comerford employees in recognition of his assuming his new position. Members of the winning team were: Matt O'Keefe, John Gaughan, Samuel Miles, James Owens, Edward McGovern, Robert Hogan, Gerald McDonnell, John Banko, Joseph Novak, Harold Bell, Bert Allen, John Lavelle and Joseph A. Phillips.

Speakers included Byron Lynn, district manager, and John Nolan, film buyer. Joseph A. Phillips was toastmaster.

Astaire and "U" Cancel

West Coast Bureau of THE FILM DAILY

Hollywood — Fred Astaire and Universal have cancelled the star's one-picture contract by mutual agreement.

☆ SHORTS ☆

"London Can Take It"

Warners 9 mins.
Exceptional

Produced for the British Ministry of Information by the General Post-office film unit, and taken for distribution on this side by Warners, "London Can Take It" is an exceptional newsreel-documentary short, graphically depicting the nightly ordeal of "the greatest civilian army ever to be assembled" and, through the medium of an exceedingly brilliant commentary by Collier's Quentin Reynolds, paying a glowing and deserved tribute to the people of London.

Through carefully selected and compiled footage and the commentary, the auditor becomes an eyewitness of one of the greatest tragedies of all time. The reel starts with a late afternoon. Civilians hurry homeward from shop and office, thousands not to rest but to don their service uniforms. The anti-raid siren shrieks its warning; the nightly Nazi raid begins. Searchlights bat the dark, anti-aircraft guns belch flame, bombs explode, starting fires, shrapnel rains down, yet in shelters, the young and old sleep.

Finally, dawn comes, and, in Reynolds' telling words, matter-of-factly narrated, "London looks upwards and faces the day with calmness and confidence." And again: "A bomb has its limitations. It can only destroy buildings and kill people. It cannot kill the unconquerable spirit and courage of the people of London. London can take it!" Propaganda? Perhaps. But yes or no, in its high courage and its gallantry a timely message for all screens that are free and proposed so to remain.

Columbus Variety Club Honors Virgil Jackson

Columbus, O. — Virgil A. Jackson, president of the Central States circuit, has been elected chief barker of the Variety Club, Tent Two. On Jan. 1 he will succeed C. Harry Schreiber, city manager for RKO.

Other officers chosen were: Harold C. Eckert, dramatic critic on The Journal, first vice-president; Leo Yassenoff, The F & Y Theater Division, second vice-president; J. F. Luft, Grand theater building, and P. J. Wood, secretary to the Ohio ITO, re-elected treasurer and secretary respectively. Directors are: Russell Bovim, Loew's Ohio; Milt Staub, Gustav Hirsch Organization; Bill Cunningham, The Citizen; Max Stearn, Southern theater; George Anagnost, Skateland; Tom Jones, Club 37; W. C. Pullin, Jr., Linden theater, plus the officers and retiring president.

Jackson and Schreiber were named delegates to the national convention, with Jones and Cunningham as alternates. Pullin was again selected national canvasser.

Allied to Intervene In Consent Decree

(Continued from Page 1)

tures in blocks of five and trade showings.

Additionally, according to President H. A. Cole, Myers will protest against other provisions "which either by omission or commission, tend to perpetrate the monopoly in exhibition, distribution and production of motion pictures."

While several Allied units have gone on record against the decree, the national organization previously had not taken an official stand except to endorse Myers' views on "making the best of a bad job" in accepting the decree.

Judging by Myers' talks at recent unit conventions, he apparently has taken the stand that the decree will be passed and that there is nothing the exhibitors can do about it. His instructions by the board appear to be Allied's first move toward intervention.

SMPE Progress Medal Given to Walt Disney

(Continued from Page 1)

Kunzman of National Carbon (re-elected) convention vice-president; P. J. Larsen, New York consulting engineer, secretary; and George Friedl, Jr., of International Projector, treasurer.

Equipment Dealers Form National Unit

(Continued from Page 1)

men from virtually every U. S. film center.

Association, national in scope, is headed by H. W. Graham of Graham Bros. Theater Equipment, Denver, as chairman-secretary.

WEDDING BELLS

That Little Guy who carries a bow and arrow is responsible for an office romance that's bloomed up at Altec Service's New York office. The engagement of "Billie" Martine, Bert Sanford's secretary, and Martin Bender, Altec engineer, has just been announced. Wedding plans await finding out whether Martin's name comes up in Uncle Sam's Big Lottery.

Seranton, Pa.—Wedding of Esther C. Rosar and J. Lalor Joyce, manager of the Hippodrome Theater, Pottsville, is set for Thanksgiving Day.

Wilkes-Barre, Pa.—June Finley, cashier at the Hart Theater, and John Keating of Luzerne, will wed in November.

Yuma, Ariz.—Ken Maynard and Bertha Rowland Denham were married here.

Photophone Names Knaut International Sales Chief

(Continued from Page 1)

ed yesterday by Jay D. Cook, International division manager.

Knaut's new headquarters are at Camden. His new appointment fills a vacancy created when Van Ness Philip reported for active military service on Sept. 1.

E. M. Roberts, formerly vice-president of RCA Victor Co. of China, has been named vice-president and treasurer of RCA Victor Argentina, with headquarters at Buenos Aires. Dan Des Folds, for many years associated with International Record and Recording activities at Camden, has been transferred to RCA Victor Argentina, where he is in charge of recording and record sales. G. G. Connelly has been named manager, Artists & Repertoire, replacing Des Folds. Connelly recently completed a year-long survey trip through Latin-America.

Majors Will Parley On Effects of Decree

(Continued from Page 1)

tion methods will be changed when the decree terms go into effect, realignment of procedures will be necessary.

It is reported that W. F. Rodgers, M-G-M general sales manager, is holding preliminary conferences in reference to the decree with studio executives, while Paramount has tentative plans for a studio huddle early in November. It also is understood that the decree and its effect are occupying the attention of RKO's president, George Schaefer, currently in Hollywood. Similar plans are expected to be set by 20th Century Fox and Warner Bros.

\$100,000 Ad Campaign For "Pot o' Gold" Pix

(Continued from Page 1)

lease, "Pot o' Gold," it was announced yesterday. With picture slated for late February release, campaign will start in December and run through the next two months.

Co-op with the Tums "Pot o' Gold" radio show is set, including publicity on the air and a commercial tieup with dealer displays.

Buchanan & Co., Inc., will be Roosevelt's ad agency, with Rudolph Montgelas as account exec.

Huxford at Skaneateles Taken by Ruben Canter

Syracuse, N. Y.—Ruben C. Canter, owner of the Strand, Marcellus, and partner with Sam Slotnick in the Palace, Baldwinsville, has purchased the Huxford, Skaneateles, from Charles Huxford. After extensive alterations, house will reopen as the Colonial-Skaneateles.

Cancel "U" Astaire Pact

West Coast Bureau of THE FILM DAILY
Hollywood—Fred Astaire's Universal one-picture pact has been cancelled by mutual agreement.

Industry Co-op Praised By Nelson Rockefeller

(Continued from Page 1)

responsive to our invitation to co-operate." The movies, press and radio must be increasingly used "to promote a more effective interchange of the finest in the thought and action of both continents," Rockefeller declared.

A more critical note was struck by Robert Montgomery, whose Forum topic was "The Responsibilities of the Motion Picture Industry." Its functions he defined as entertainment for the relaxation of those afflicted with the ills of the world, education of the people, and building of morale through truthful propaganda.

"No man, or group of men, has the right to place himself in complete control of any medium as powerful as that of the motion picture until such time as he may realize the tremendous good and tremendous evil that the medium exercises and until such time as he is capable of complete intellectual honesty and by virtue of a strength given through that honesty be willing to fight off whatever subversive influences may attempt to control that medium," Montgomery told his audience.

Following his speech, Montgomery planned back to Hollywood to continue his work in RKO's "Mr. and Mrs. Smith."

Kennedy Bringing Remittance Offer?

(Continued from Page 1)

cent of a second \$8,000,000 if it is earned.

There are no strings attached to remittance of the first \$8,000,000, it was said. Informed sources point out that under this agreement it is questionable whether or not a total of \$16,000,000 could be earned this year by American companies under existing conditions. Continuous night bombings by Nazi raiders have necessitated a revision in the rules governing theater showings, with many cities affected.

It is expected here that Ambassador Kennedy will express his viewpoints on remittances and business in general here in regard to film industry shortly after his arrival in the U. S. and that some decision will be reached on the matter quickly. The Board of Trade advanced a figure of \$5,000,000 as its first basis for negotiations on remittances.

Bisbee Rites Tomorrow

Frederick Carleton Bisbee, contract license engineer for Erpi at 195 Broadway, died at the Mills Sanatorium, Morristown, N. J., on Tuesday following an operation. Funeral will be held in Berlin, N. H., tomorrow.

This is the Captain..



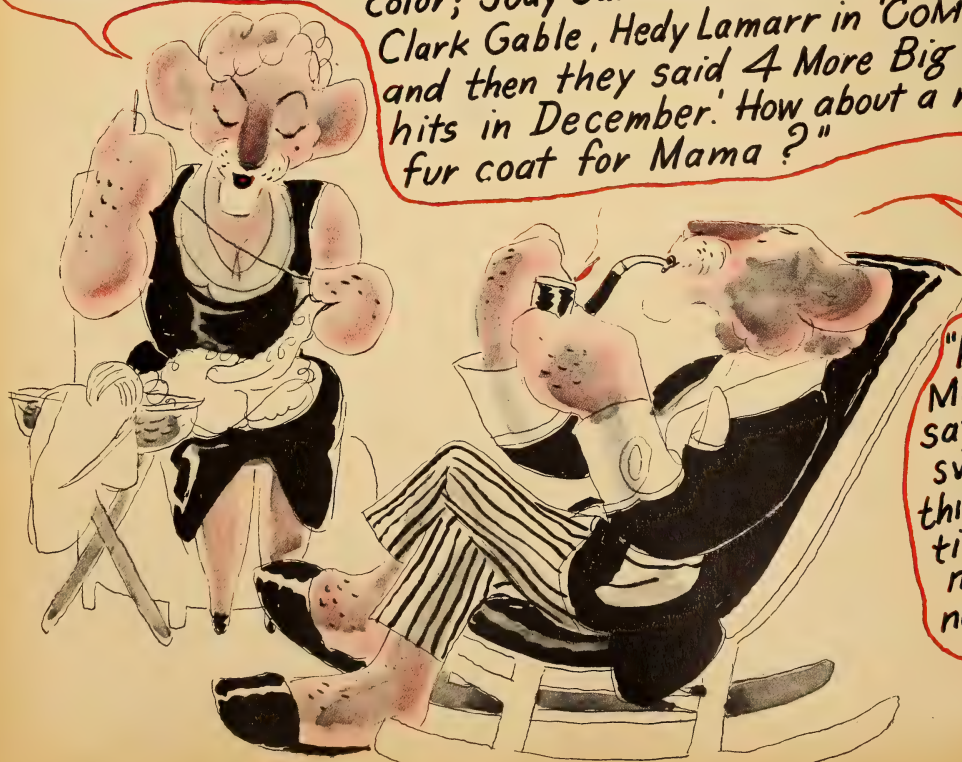
..who knew that men
like Oley who long for
home are bound forever
to the sea.

THE CAPTAIN, played by Wilfred Lawson, is one of the unforgettable characters in JOHN FORD'S production of Eugene O'Neill's "THE LONG VOYAGE HOME" which Hollywood Reporter predicts "will take all top honors".

MR. & MRS. LEO

MAMA IS PROUD! PAPA TAKES IT BIG!

"Oh, Leo, I'm so proud of you. I've been reading in the trade papers that 'STRIKE UP THE BAND' is playing a 3rd week in a dozen spots and a 2nd week in twenty other cities. The Editorial said that you're the King of Hold-Overs (You've held me over for 16 happy years, angel!) And then it went on to say: 'Mr. Exhibitor, you'll remember November because every week M-G-M delivers a Sockeroo! (I think that's what they called them) starting with Norma Shearer, Bob Taylor in 'ESCAPE'; Jeanette MacDonald, Nelson Eddy in 'BITTER SWEET' in Technicolor; Judy Garland in 'LITTLE NELLIE KELLY'; Clark Gable, Hedy Lamarr in 'COMRADE X' - and then they said 4 More Big M-G-M hits in December.' How about a new fur coat for Mama?"



"Aw gee, Ma, you say the sweetest things every time you need a new coat!"

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 83—First Section

NEW YORK, FRIDAY, OCTOBER 25, 1940

TEN CENTS

EXHIB. GROUPS TO PRESS DECREE FIGHT Singles a Flop, F & M Sticking to Duals—Arthur

**Foes of Double Features
Decidedly in a Minority.
Declares F & M Executive**

St. Louis—As a result of the flop of a single feature policy at the Ambassador Theater, where it had a six weeks' test, F & M sees "no reason for us to continue single feature programs further, now, nor in the immediate future," it is stated by Harry C. Arthur, Jr.

Arthur's statement, discussing the Ambassador statement, attracted considerable attention in view of the recent demand by the Better Films Council of Greater St. Louis that all theater operators here go on record

(Continued on Page 4)

Union Ruling May End Testing Here

Metro, 20th-Fox and Paramount, only companies still doing a large amount of testing here, may shortly give up all test work in New York as a result of a ruling by the United Scenic Artists of America, Local 829 of the Brotherhood of Painters, Decorators and Paperhangers of America, that the shop steward shall be designated by the union without any choice in the matter being left to the studio, it was learned yesterday.

It was stated that this ruling was

(Continued on Page 8)

NWMP Premiere Attracts 600,000 to Chi.'s Loop

Chicago — Cecil B. De Mille's "North West Mounted Police" had its American premiere at the State-Lake and Chicago theaters here last night to the accompaniment of a

(Continued on Page 5)

Top "Dictator" Prices Stay Till Summer

Charles Chaplin's "The Great Dictator" will not be shown anywhere in America except at advanced admission prices until next Summer, it was announced yesterday by United Artists.

Nazi Bomb Strikes Denham Studio, Killing Two Members of Paramount Production Unit

Two members of the Paramount production unit making "Quiet Wedding" in England were killed when a Nazi bomb struck the Denham studio, according to a cable received yesterday from Managing Director David Rose to John W. Hicks, vice-president in charge of Paramount's foreign department. Despite the tragedy, Rose cabled, production is being continued and the picture will be completed this week-end.

Gilman, Minneapolis Exhib., Sues Majors

A suit for \$30,000, representing triple damages, has been filed against the eight major companies, Minnesota Amusement Co. and the American Amusement Co. by Irving Gilman, owner of the Esquire Theater, Minneapolis, according to copies of the complaint received by the companies' legal departments.

Gilman, who heads the Hennepin Theater Corp., charges that, because of inability to get sufficient product, he has suffered a loss of \$500 a month since April 1, 1939.

Named in the suit, in addition to the two amusement companies, are

(Continued on Page 5)

Jack Warner Speaks at Mark Hellinger Luncheon

Warners have Mark Hellinger under a straight four-year contract, Jack L. Warner, company's production chief, told members of the Ban-shee Club and guests at a luncheon

(Continued on Page 8)

Monogram Staying In Producing Field

West Coast Bureau of THE FILM DAILY

Hollywood—Monogram is producing 19 of its 26 features and is financing them entirely, it was said yesterday by W. Ray Johnston, president, in reply to reports that the company would act only as a distributing organization for its producers. Monogram will continue to finance at least 90 per cent of its releases, he added.

Only outside product being released by Monogram, Johnston said, are the "East Side Kids" series produced by Sam Katzman and the Range Busters produced by George

(Continued on Page 5)

Levey to Have Three In Work by December

Jules Levey's Mayflower Productions, producing independently for Universal release, expects to have three pictures in work by December. Two Damon Runyon stories have been set definitely for early produc-

(Continued on Page 5)

Pa. Censors Okay "Flames" Reverse Ban, But Offer No Explanation

1,000 Day-Date Bookings For "London Can Take It"

Warners, by tomorrow, will have 1,000 day-and-date bookings set for the British documentary, "London Can Take It," it was learned yesterday. Brooklyn laboratory is rushing out prints at top speed, and print

(Continued on Page 5)

Philadelphia — The Pennsylvania Board of Censors yesterday reversed itself and passed Paramount's "World in Flames" without a single deletion.

The Board, which originally found that the picture in its judgment "has a tendency to corrupt and debase morals, and it is not proper," issued no statement to explain its change

(Continued on Page 5)

Kuykendall "Glad Allied Saw the Light"; Brandt Feels Stand is Too Late

Allied's decision to fight approval of the consent decree was praised yesterday by Ed Kuykendall, president of the rival MPTOA. In a telegram to THE FILM DAILY, Kuykendall said he was "glad Allied saw the light."

At the same time, Harry Brandt, ITOA president, declared that he believed Allied was stepping into the picture too late, although he would welcome Allied's assistance in his organization's campaign to urge Federal Judge Henry W. Goddard to make changes in the decree provisions.

The ITOA, Brandt said, is going to make every effort to obtain a hearing in court from Judge Goddard and if no relief is provided, legis-

(Continued on Page 4)

Manila Trust Suit Faces 2-Year Trial

Manila (By Air Mail)—Trial of the Arco Amusement Co.'s anti-trust suit against 20 defendants, including 20th-Fox, Warners, UA, Universal Distributors, Acme Films, Inc., and Luzon Theaters, Inc., former distributors of RKO and Columbia product, respectively, the Lyric Film Exchange,

(Continued on Page 8)

National Unity Luncheon Calls Industry Leaders

Leaders of the film industry, stage and radio will meet for luncheon at the Astor Hotel Monday to plan steps for promoting the Mobilization for National Unity being conducted in

(Continued on Page 5)

Dem. Finance Post For R. C. Patterson

R. C. Patterson, chairman of the board of RKO, has been named vice-chairman of the finance committee of the Democratic Presidential campaign. Patterson today will confer with President Roosevelt at the White House.



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First Section

Fri., Oct. 25, 1940

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JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Thursday, Oct. 24)

NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Seat.				
Col. Pict. vtc. (2½%)	5	5	5	.....
Columbia Pict. pfd.				
Con. Fm. Ind.	¾	¾	¾	.....
Con. Fm. Ind. pfd.				
East. Kodak	132½	132¼	132¼	— 134
do pfd.				
Loew's, Inc.	11½	11¼	11¼	— 1½
Loew's, Inc. pfd.	26½	26¼	26¼	— 1½
do pfd.				
Paramount	8½	8¼	8¼	— 1½
Para. 1st pfd.	93¼	93	93¼	+ 1½
Para. 2nd pfd.	10	10	10	— 1½
Pathe Film	10½	10½	10½	— 1½
RKO				
20th Century-Fox	6	6	6	.....
20th Century-Fox pfd.				
Univ. Pict. pfd.				
Warner Bros.	2½	2½	2½	— 1½
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 646				
Loew's deb. 3½s46	104¼	104	104	— 1½
Para. B'way 355				
Para. Pict. 655				
Para. Pict. cv. 3¼s47	91¾	91¾	91¾	— 1½
Warner Bros. dbs. 6538				

NEW YORK CURB MARKET

Monogram Pict.	½	½	½	.....
Sonotone Corp.	9½	9½	9½	— 1½
Technicolor	9½	9½	9½	— 1½
Trans-Lux	1¼	1¼	1¼	+ 1½
Universal Corp. vtc.				
Universal Pict.				

Lift "Merry Wives" Ban

Ban on "The Merry Wives" Czechoslovakian film being distributed here by Edgar Lloyd, has been lifted by the New York Censor Board, following some cuts.

Jack Judd's Father Dead

Pittsburgh—Father of Jack Judd, of the Judd Poster Service Co., died here this week. Funeral services will be held in McKeesport.

Ampta to Waive Dues of All Members in Armed Services

As a result of its directors' action, Ampta will waive membership dues for all members who have been, or will be, called into the military services of the United States, Leon Bamberger, Ampta president announced yesterday.

In case of members whose dues are paid beyond the time which they are called into service, they will be credited with the payment after they return to civilian status.

The next regular luncheon of the Ampta will be held next Thursday, at the Hotel Edison. The guest of honor will be Paul Terry, cartoon producer who is celebrating his 25th anniversary.

Shea's Successor Waits On Probate of His Will

The will of the late M. A. Shea will be filed for probate next week when any change in the corporate setup of the Shea circuit may be made known. A successor to Shea as president will be selected by the board after the will is probated.

Meanwhile, the organization continues to operate its 54 theaters under the direction of Eddie Grainger, vice-president and general manager. Grainger, who signed a five-year contract as general manager in 1936, was given a new contract last January running until 1952.

NBC to Televis Both N. Y. Political Rallies

National Broadcasting Co. will televise the Republican and Democratic rallies to be held in Madison Square Garden in New York, it was announced yesterday by Niles Trammell, company prexy, who said that the telecasts will enable more than 40,000 persons to witness the rallies which both Wendell L. Willkie and President Roosevelt are expected to attend.

The Democratic meeting will be held on Oct. 28 and the Republican on Nov. 2.

UA Mourns Shea Passing

Sincere sympathy to the family of the late M. A. Shea was expressed in the form of a resolution this week by the United Artists board of directors which described the circuit operator as one of the oldest and valued customers of the company and who, for 21 years, exhibited UA pictures in his theaters. Board's action was made on behalf of UA's executives and employees.

Three Get Metro Buttons

M-G-M has awarded Honor Roll Buttons for outstanding exploitation campaigns to S. L. Morris, Palace, Lockport, N. Y., for "Boom Town," and William K. Saxton and George Avis, Loew's Century, Baltimore, for "Strike Up the Band."

700 to Attend Tonight's Para. Pep Club Dance

More than 700 home office and exchange members of the Paramount Pep Club will gather tonight for the annual dinner-dance in the Belvedere Room at the Hotel Astor. A cocktail party will precede the dinner which is scheduled to start at 7:30 P.M. Jam Craig and his orchestra will supply the music for the cocktail session.

One of the highlights of the evening will be the announcement of the winners in the Paramount home office "Production Ideas Contest." Winners in this contest will divide \$375 in cash prizes.

The entertainment committee, headed by Bob Weitman, Dick Engel and Ted Schreiner, has arranged for the appearances of Frances Langford, Jon Hall, Romo Vincent and Ralph Young with Tommy Reynolds and his orchestra handling the music for the entertainment.

Immediately following the dinner, the dance will be attended by an additional 500 guests and friends. Howard Lanin's orchestra will start the dance session at 9:30 P.M.

Court Orders Payment of \$16,600 GN Allowances

Final allowances totaling \$16,600, out of an estate of \$72,401 in the hands of the trustee of Grand National Pictures, was ordered paid to attorneys and accountants by Federal Judge Murray Hulbert yesterday.

At the same time it was disclosed that \$15,000 in wage claims and \$30,000 in tax claims will be paid in full. Additional sums will be forthcoming to Harry G. Fromberg, trustee, from the distribution of GN's films by Mohawk Pictures, it was disclosed.

Dannenberg & Hazen, attorneys for the trustee, were allowed \$7,750; the trustee \$2,100; Rayden & Goldstein, accountants, \$3,000; Saul E. Rogers, attorney for the company, \$2,250, and \$1,500 to 27 other attorneys.

Loew-Poli Houses Play "Great Dictator" Oct. 31

Chaplin's "The Great Dictator" opens on the Loew-Poli circuit Oct. 31, playing in Bridgeport, New Haven and Hartford, Conn., and Springfield and Worcester, Mass. Prices will be 75c (matinee) and \$1.10 (nights), including Federal tax.

Philadelphia—"The Great Dictator" had a sell-out opening at the Aldine here Wednesday night, and yesterday's biz continued big.

Expect 500 At WC Party

Chicago—More than 500 members of the Warner Club will attend the ninth annual supper dance Nov. 29 in the Terrace Casino and the Monte Carlo room of the Morrison Hotel. Tickets for the affair are available from Prexy Larry Stein, at \$2.50 per head.

COMING and GOING

H. M. WARNER has left for the Coast. JACK L. WARNER leaves next week.

SIDNEY R. KENT returns to New York Monday morning after a studio visit.

CHARLES VIDOR, Paramount director, STANLEY GOLDSMITH, assistant director, CURTIS MACK, assistant production manager, WILLIAM PEREIRA, art director, HARRY PERRY, camera man, and LEWIS MELTZER, writer, are here from the Coast to film background material for "New York Town." They are making their headquarters at the Waldorf.

JOSEPH P. KENNEDY, American Ambassador to Great Britain, is due here tomorrow from Lisbon by plane.

FRANK GILL, motion picture editor of the Detroit Free Press, is here for a week's stay.

WALTER PIDGEON leaves the Coast in the near future for a vacation in New York.

MICHELE MORGAN arrives here today from Europe on the Exochorda.

EMERSON YORKE is on a business trip through New England.

JAY KRAKER, JAY EMANUEL and EARLE W. SWIGERT were in New York for Philadelphia last night for the Picture Pioneers session.

WILLIAM A. SCULLY, Universal general sales manager, is in Boston today, returning tomorrow.

REGINALD ARMOUR, RKO's Continental European head, arrives in New York tomorrow.

MERIAN C. COOPER, Argosy Corp. producer, writer, who has been in New York and Washington, has returned to Hollywood.

DONALD GLEDHILL, secretary of the Academy of M. P. Arts and Sciences, has arrived in Hollywood from New York and Washington.

J. EDWARD SUTHERLAND, Universal director, will leave the Coast for the East by plane as soon as he has finished "The Invisible Woman."

IRVING C. JACOBS, JR., operator of the Branford Conn., Theater, has returned from a trip to Canada.

NORMAN ELSON, sales manager for Film Alliance of the U. S., left yesterday for a week's tour which includes Philadelphia, Washington and Baltimore.

RKO Theater Managers Dinner Monday Night

Annual RKO theater managers dinner will be held Monday night at Toots Shor's restaurant. Wives of the managers will be the guests of RKO at legitimate theaters while the men are filling up on beefsteak and other things.

Ted Schlanger Ill

Philadelphia—Ted Schlanger, S-W zone head here, is ill.

FOR FASTER,
FRIENDLIER SERVICE
AT LOWER COST—PHONE

Postal Telegraph

CHARGES FOR TELEGRAMS 'PHONED IN
APPEAR ON YOUR TELEPHONE BILL.

THE WHITE HOUSE
WASHINGTON

October 21, 1940.

Dear Al:

The President asked me to express to you and to your associates his appreciation of the screening for his guests and for him personally of WORLD IN FLAMES.

He further requests me to extend his congratulations to Paramount Pictures and to say to you that he hopes no one in this country will be too busy to give it sixty-two minutes of his time.

Very sincerely yours,

A handwritten signature in dark ink, appearing to read "Stephen Early", written in a cursive style.

STEPHEN EARLY
Secretary to the President

Mr. A. J. Richard,
Editor, Paramount News,
New York, N. Y.

Singles a Flop, F & M Sticking to Duals

(Continued from Page 1)

as to their singles vs. duals views and their willingness to back the Council's move to end multiple features.

Said Arthur:

"During this test period, 'Sea Hawk,' 'Brigham Young,' and 'The Howards of Virginia' were featured singly, concurrently with an advanced-price, reserved-seat policy. Following five weeks of these three pictures, 'Spring Parade,' 'No Time for Comedy' and 'Down Argentine Way' were featured singly, at popular prices, on a non-reserved seat policy, in a further effort to ascertain whether a sufficient number of St. Louisans desired single features to justify the change on a permanent basis.

"To all outward appearances, it would seem that those who decried double-feature programs, and urge the adoption of single-feature programs nationally, are decidedly in the minority, being of the type which visits motion picture theaters but seldom, as against those regulars who attend weekly and who very obviously prefer double-feature programs.

"We sincerely believe that our efforts along these lines gave to single-feature programs every possible opportunity for success, yet it was found wanting at the Box Office.

"There seems to be no reason for us to continue single-feature programs further, now, nor in the immediate future. The public of St. Louis voiced its strong disapproval of such a program by remaining away from the Ambassador Theater during the test period."

Germantown Vernon Opens

Philadelphia — The Vernon, new Stanley - Warner - William Goldman house in the Germantown area, opens tonight.

"Happy Birthday to You"

From
THE FILM
DAILY to

OCTOBER 25
S. Charles Einfeld
Eugene J. Zukor
Sol M. Wurtzel
Polly Ann Young
Paul A. Bray
Fred J. McConnell

Herbert S. Berg
Billie Bennett

OCTOBER 26
H. B. Warner
Mark Sandrich
Buddy Messinger
Ralph Ravenscroft

OCTOBER 27
Jack Cohn
William Barnett
John Michelson
George Middleton
Nathan Saland
Tookie Hunter



● ● ● YEP, last night's "Circus Night at the Astor".....was a grand three-ring affair.....and thoroughly in keeping with the best traditions.....of the Picture Pioneers.....to commune in the spirit of good-fellowship.....As early as a few minutes before seven.....the clan of cinema veterans began gathering in the Sideshow.....to enjoy its many attractions.....among which were the cocktail oasis, the oyster bar, beautiful Elsie the Borden bovine, and the callopie which accompanied Gene Autry.....as he sonorously sang, "South of the Border".....just after the instrument had played "Dixie".....to mark the arrival of Texas Bob O'Donnell.....

● ● ● WHEN everybody was on deck.....the banquet began.....in the Astor's Belvedere Room.....which had been transformed into a colorful reproduction of a "big top".....By way of an hors d'oeuvre.....Ole Colonel Alicocate.....conducted the initiation of the "freshmen" (Class of 1940) into the organization.....The newcomers included U. K. Whipple, Jay Emanuel, Bob Savini, Rutgers Neilson.....George Balsdon, Walter Reade, Harry Black.....Ira Cohn, Rubey Cowan, Joe Friedman, Walter Futter, Bill Ganz, Earle W. Hammons, Harry Hecht.....Henry Holmes, Morris Kutinsky, Otto Madsen, Ben Shlyen, Moe Silver, Leo Spitz and Jeffrey Bernard.....Some class, eh?

● ● ● PRESIDING at the dais was House Manager Jack Cohn.....and flanking him in either direction.....were Toastmaster Jay C. Flippen, Judge Ferdinand Pecora, Will H. Hays, Jack Alicocate, Marvin Schenck, Allen Prescott, and filmland's own and inimitable James I. Walker.....Also on the dais was that distinguished foreign industrialist.....Dr. Johann Heide of the Central European Film Distributing Co. (tsk, tsk!).....Scarce had the plentiful beefsteak come on for the slaughter.....than Jon Hall and Frances Langford appeared.....the former to speak delightfully.....and the latter to sing "A Million Dreams Ago" in ditto fashion.....A feature of the diversissements surrounding the repast.....was the male quartette.....which turned in a fine job of chanting the melodies.....popular a quarter of a century ago (and longer).....Young Joey Corn did a turn.....as did Romo Vincent with his vocalized "Blow, Gabriel, Blow".....plus a slick imitation of Charles Laughton.....

● ● ● WILL H. Hays delivered a neat talk.....The dignified Dr. Heide (awright, Jack) spied sizzingly.....Allen Prescott obliged with a bit o' wit.....and Henny Youngman was his usual riotous self.....Ah, m'lads,—but the climax was Jimmie Walker.....of which there is no whither.....His good-natured word picture of Will Hays 25 years ago.....made a big hit.....most of all with the General himself.....

● ● ● THE entire shindig reflects great credit on Jack Cohn.....and his party-aides.....chief among whom were Hal Hode and Joe Hornstein.....Joe's song-slides were swell.....Among those present were C. S. Moskowitz, Sam Rinzler, Herman Robbins, Harry D. Buckley, Red Kana, P. A. Powers, Jimmy Grainger, Louis Frisch, Harry Brandt, Billy Brandt.....Max A. Cohen, George Dembow, Joe Lee, Abe Montague, M. A. Schlesinger, W. H. Cadoret, Sol and Sam Straussberg, Earl Sweigert.....and a couple hundred more.....

● ● ● HAIL, all hail.....—The Pioneers!

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Exhib. Groups Will Press Decree Fight

(Continued from Page 1)

lative action will be sought, he added. However, Brandt was somewhat pessimistic over the prospects of getting the decree changed.

Kuykendall, in his wire, said that the MPTOA was still opposed to the decree as being unfair to independents. "We welcome all exhibitors in this fight for our rights and will continue using every method at our command to prevent decree from becoming a law." He added that he did not believe the decree would reach court for several weeks.

May Release Decree Tuesday

Meanwhile, Government officials here yesterday reversed their decision to release copies of the decree and code of arbitration today and stated that the decree and code would not be made public until they are submitted to Federal Judge Henry W. Goddard on Tuesday.

Special Assistant Attorney General James Hayes left yesterday for Washington to confer with officials there.

As the New York equity suit will supersede the B & K and Fox West Coast contempt cases, the Government and industry counsels have asked for an indefinite continuance of the other actions.

At the national capital, Robert Sher, Special Assistant to the Attorney General, told THE FILM DAILY last night that the final draft of the consent decree will be presented to Thurman W. Arnold, Assistant Attorney General, today on his return from Chicago. Sher said he anticipated, however, that final Government approval would not be handed down immediately. Attorney General Robert Jackson, who is devoting considerable time to the Presidential campaign, must also approve the decree.

Filmack Business Shows Increase of 33 Per Cent

Chicago—Thirty-three per cent increase in biz over last year is reported by Filmack Trailer Co., with the result that two and in some cases, three crews are working day and night in all departments. Increase, Filmack believes, is explainable by greater selling efforts via trailers by exhibs.

N. Y. Theater'll Be ... Somewhat 'Drafty'

Management of the Bryant Theater, just East of Times Sq., is not gonna let interest of its patrons in Tuesday's National Lottery, whereat selective service numbers will be drawn for the draft, keep fans at home instead of goin' to the movies. Special arrangements have been made for the numbers to be announced in the Bryant. It sounds almost like a direct publicity tie-up, inasmuch as the current feature is "The Fight For Life," Government-produced.

Monogram Staying In Producing Field

(Continued from Page 1)

W. Weeks. All production activity is centered in the hands of Scott R. Dunlap, in charge of stories, casting and production, Johnston explained. Paul Malvern will supervise seven pictures this season and Lindsley Parsons will supervise four. I. E. Chadwick is down for two Gene Stratton-Porter stories. Three others are to be delivered by Monogram's associates in England.

Seven pictures on the 1940-41 program are completed. Two others went into production this week, "Her Father's Daughter," starring Edith Fellows, and an untitled CCC camp story starring the "East Side Kids."

NWMP Premiere Attracts 600,000 to Chi.'s Loop

(Continued from Page 1)

fan demonstration which probably set a new industry high.

Police estimated that the dual opening, marked by p.a.'s by De Mille, Gary Cooper, Madeleine Carroll, Paulette Goddard, Preston Foster, Robert Preston and Lynne Overman, attracted a crowd of 600,000 in the Loop district. It took 1,200 cops on foot and 300 on horses to handle the throng.

Earlier in the day, 200,000 lined State St. to watch the "Parade of Stars." Last night, the street was closed to traffic for the first time on record.

Premiere was covered by a Mutual Coast-to-Coast hookup of 131 stations from 7:30-8 p.m., with De Mille and his players on the program.

Four-day hullabaloo for NWMP here is estimated by State St. merchants to have increased biz 32 per cent.

Miss Carroll and William Pine left at midnight for Canada to resume p.a.'s there. Preston, Foster and Overman leave today for Milwaukee and Kansas City. De Mille, Mrs. De Mille, Cooper, Mrs. Cooper leave this afternoon for New York. Miss Goddard planes back to Hollywood.

New Bunny Character By Schlesinger Clicks

West Coast Bureau of THE FILM DAILY

Hollywood — Leon Schlesinger is rushing production on "Elmer's Pet Rabbit," a "Merrie Melodie" cartoon in Technicolor, starring "Bugs" Bunny, a new cartoon character. "Bugs" made his debut in "A Wild Hare." Fox West Coast, which formerly gave the "Merrie Melodie" series only spot bookings, has now booked the subjects for 60 theaters.

Tom Petley With RKO

Tom Petley, former West Coast publicity chief for the MPPDA and until recently with PM, has joined the RKO studio publicity department.

Warners Seek Cleric for "Heaven's" Lead

Warners' which will produce Hartzell Spence's "One Foot in Heaven: The Life of a Practical Parson," is definitely seeking a minister or theological student to play the film's leading role. It was studio's original idea for the part of the Rev. William H. Spence, Methodist cleric, to be played by his son, the author himself. Spence, with the UP here, was given a screen test which was entirely satisfactory to Warners, but he declined against taking the role.

National Unity Luncheon Calls Industry Leaders

(Continued from Page 1)

Greater New York by the National Conference of Christians & Jews.

Invitations to leaders of the amusement industry to attend the luncheon have been jointly issued by J. Robert Rubin or Loew's, Jack Cohn of Columbia and Martin Quigley of the Quigley Publications. Among those who have already accepted are:

Neil F. Agnew, Willard Alexander, Louis Astor, Leon J. Bamberger, Joseph Bernhard, Walter Bibb, Nate J. Blumberg, Harry Brandt, Jules E. Brulatur, Harry H. Buxbaum, Irving Caesar, J. Cheever Cowdin, Donald Flamm, Sam M. Forrest, Morris Goodman, Stanton Griffiths, J. H. Hoffberg, Maurice Kann, Austin C. Keough, Joseph R. Lee, Carl E. Miliken, Alec Moss, James E. Mulvey, Charles E. McCarthy, S. Barret McCormick, Brock Pemberton, Louis Pollock, Herman Robbins, Morris Sanders, R. M. Savini, Fred Schwartz, and C. J. Tevin.

Also Will H. Hays, Jack Alcock, Louis Nizer, T. K. Stevenson, Philip Dunning, Sam Rinzler, Sam Rosen, Louis Frisch, Max Blackman, John Shubert, Toby Gruen, Louis Bernstein, Luther Reed, Joseph Seidelman, Nate Spingold, Max Seligman, Sam Shain.

Principal luncheon speaker will be Basil O'Connor, chairman of the National Unity Mobilization, who will give a resume of the objectives of the National Conference of Christians & Jews.

Gilman, Minneapolis Exhib., Sues the Majors

(Continued from Page 1)

Columbia, Paramount, M-G-M, RKO, Universal, 20th Century-Fox, Warner Bros. and United Artists.

H. E. Lichtman Organizes Motor Theater Corp. in Va.

Norfolk, Va.—Motor Theater Corp. of this city, has received a charter from the Virginia Corporation Commission to conduct a theatrical business under maximum capitalization of \$15,000. A. E. Lichtman, of Washington, is president.

Bookers Club Party Friday

New York Bookers' Club will hold its annual party tonight at Leon & Eddie's.

Levey to Have Three In Work by December

(Continued from Page 1)

tion and probably will be before the cameras simultaneously. One is titled "Butch Minds the Baby" and the other is tentatively titled "Tight Shoes." The third picture is as yet without a name.

Levey, reporting the wide success of his "The Boys From Syracuse," said yesterday the picture was "in the black." He plans to leave shortly for the Coast.

Guaranteed Asks Injunction

Suit for an injunction to restrain exhibition and distribution of 10 Western films, and for damages, was filed yesterday in New York Supreme Court by Guaranteed Pictures, Inc. against Screen Attractions Corp. and Morris Kleinerman, officer of Screen Attractions. Complaint charges the defendants with unauthorized distributing the plaintiff's films in New York and New Jersey.

Initial "Hullabaloo" Dates

"Hullabaloo," radio comedy which marks Louis K. Sidney's first production for M-G-M, has been set for initial engagements at the Poli Waterbury, Colonial, Reading and State, Norfolk. Dates, in order, are Oct. 29, 31, Nov. 1.

"World in Flames" Ban Lifted in Pa.

(Continued from Page 1)

of front, or explain the reasons for its first verdict.

The Board saw the picture for a second time yesterday at the request of the distributor, and the decision to give it a seal followed quickly. Earlier action had been made impossible by the absence from the city of Mrs. Edna R. Carroll, chairman, on a Republican campaign mission.

Paramount had announced that it would fight the ban up and through the highest courts if necessary. Picture had been warmly praised by the President, members of his Cabinet, Wendell Willkie and many others of note.

1,000 Day-Date Bookings For "London Can Take It"

(Continued from Page 1)

total is expected to reach 1,200.

Deals have been closed with all major circuits for the one reeler, now running simultaneously in eight Broadway houses for the first time on record. It will be shown in all RKO nabes starting next Thursday. Net profits will go to the British War Relief, it is understood.

This is John Ford..

..whose box-office genius brings EUGENE O'NEILL'S great characters to dramatic life.



JOHN FORD, famous for his powerful, money-pictures, surpasses even his "Grapes of Wrath", "Stagecoach" and "The Hurricane" with "THE LONG VOYAGE HOME", presented by Walter Wanger and released thru United Artists.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Night Train"

20th Century-Fox

90 Mins.

DELIGHTFUL COMEDY-DRAMA PLAYED AGAINST AN EARLY-WAR BACKGROUND.

Audiences will be thoroughly entertained by this British import from the GB Studios. With invaded Czechoslovakia, England, and Germany serving as locales, the producers have concocted a breezy picture which kids German efficiency and at the same time spoofs British nonchalance.

Rex Harrison, popular English star, has a field day in the film, playing the intelligence officer to the hilt. Lovely Margaret Lockwood is more than adequate as the daughter of the Czech steel expert, while Paul von Henreid does a fine job as the German Gestapo agent. Carol Reed rates a bow for his smooth direction. That the story is improbable is not important. The screenplay by Sydney Gilliat and Frank Launder, from Gordon Wellesley's original, developed a grand light yarn out of what might have been a heavy drama.

Opening in a recently invaded Czech steel mill, the picture relates the flight of a steel expert and the capture of his attractive daughter who is thrown into a concentration camp. A Gestapo agent is assigned to help her make a planned escape to England so that her father can be located and, with the girl, brought to Germany on a ruse. Agent Harrison thereupon goes to Berlin, impersonates a German officer and bluffs his way through Nazi red tape until he reaches the scientist and his daughter. Continuing his bluff, he stays with them on a Munich-bound train and, with the aid of a couple of very funny British "gentlemen" tourists, is able to engineer an escape to Switzerland.

Cast: Margaret Lockwood, Rex Harrison, Paul von Henreid, Basil Radford, Naunton Wayne, James Harcourt, Felix Aylmer, Wyndham Goldie, Roland Culver, Eliot Makeham, Raymond Huntley, Austen Trevor, Kenneth Kent, C. V. France, Fritz Valk, Morland Graham.

CREDITS: In Charge of Production, Maurice Oster; Producer, Edward Black; Director, Carol Reed; Author, Gordon Wellesley; Screenplay, Sydney Gilliat, Frank Launder; Cameraman, Otto Kanturek; Editor, R. E. Dearing; Art Director, Vetchinsky; Musical Director, Louis Levy.

DIRECTION, Fine. PHOTOGRAPHY, Fair.

Rhythm Rangers Plan P.A.'s

West Coast Bureau of THE FILM DAILY

Hollywood—The Rhythm Rangers start work next week in "Cowboy Swing," for Monogram. Picture stars Tex Ritter and will be produced by Edward Finney. The title song in the film was written by Jules Fox and Sammy Friedman. The Rhythm Rangers plan to start a personal appearance tour of the Middle-West states about Nov. 6.

Pawtucket Darlton Opens

Pawtucket, R. I.—The Darlton, nabe seating 901, has opened. House was built by William N. Pineault, Pawtucket merchant, and has been leased by Chester Currie and Walton Harman, with former managing and Harman as assistant.

"Torso Murder Mystery"

with Bruce Cabot, Tamara Desni, Edward Lexy, Romilly Lunge

70 Mins.

SUSPENSEFUL SPY MELODRAMA WITH HARD WORKING CAST OVERCOMES TECHNICAL FAULTS.

Espionage, murder and action have been put into this English import in liberal doses to make it an interesting program offering. The picture has technical faults, but its good points are in the majority. There is a considerable amount of suspense that is well maintained, and the cast is personable and hard working.

Bruce Cabot, Tamara Desni, Romilly Lunge and Edward Lexy head the cast. Marta Labarr, Percy Walsh and Hilary Pritchard are prominent in the supporting cast. Picture was produced by John Argyle and directed by Walter Summers. The camera work is under par.

Cabot, an English citizen working for the Nazi government, murders another man of identical build to throw suspicion off his trail when the Nazi agents get mad over his refusal to sell some plans at a price previously agreed upon. However, the Nazi agents and the police both discover he is still alive and the net gets tighter around him.

Miss Labarr, Cabot's wife, tries to get in touch with him and tips off his whereabouts. A fight ensues and Cabot and his wife as well as Walsh die in a fire started in the fight.

CAST: Bruce Cabot, Marta Labarr, Tamara Desni, Edward Lexy, Cyril Smith, Romilly Lunge, Percy Walsh, Eva Lynd, Hilary Pritchard, Miriam Minetti, Davina Craig, Vincent Holman, Anthony Shaw.

CREDITS: Producer, John Argyle; Director, Walter Summers; Screenplay, Walter Summers, Jay Van Lusil and Ralph Bettinson; Based on a novel by T. C. H. Jacobs.

DIRECTION, Adequate. PHOTOGRAPHY, Poor.

Photographic-Projection Exports Again Show Drop

Washington Bureau of THE FILM DAILY

Washington—Exports of photographic and projection goods in September declined from the same month of last year, the Department of Commerce reported yesterday. The September, 1940, export figure is \$1,100,000 compared to \$1,408,000 for September, 1939. This is a drop of \$308,000.

For the nine months ending in September, the Department reported exports for 1940 at \$11,741,000 compared to \$14,114,000 for the same period of 1939, representing a decrease of \$2,373,000.

Parsons Party Today

Today's cocktail party is at the Stork Club in honor of "the gang from Lowe's State"—Louella O. Parsons, Ilona Massey, Binnie Barnes, Brenda Joyce, Sabu, Robert Stack, Bill Orr and Mike Frankowitch.

"The Face at the Window"

with Tod Slaughter, Marjorie Taylor, John Warwick

65 Mins.

BROAD BRITISH BURLESQUE OF HORROR STORY HAS A CHANCE AS A FREAK NOVELTY.

With all the blood-curdling accoutrements of a super thriller, weird faces, howls in the night and secret passages, story has been broadly burlesqued. As a freak novelty, this one has a chance.

Tod Slaughter is featured in this British import. The British character actor hams all over the places with gestures, bad man laughs and villainous deeds.

Marjorie Taylor and John Warwick support him in featured roles. Leonard Henry, Aubrey Mallalieu, Robert Adair and Wallace Everett are in the supporting cast. George King directed. Laid in Paris in the 1880's, Slaughter makes a play for Miss Taylor, daughter of Mallalieu, a banker. When he discovers that she loves Warwick, an employee in the bank, he frames Warwick and murders Mallalieu. After numerous scenes that have the young lovers in one jam after another justice finally triumphs and the villain gets his just deserts.

CAST: Tod Slaughter, Marjorie Taylor, John Warwick, Leonard Henry, Aubrey Mallalieu, Robert Adair, Wallace Everett, Kay Lewis, Billy Shine, Margaret Yarde, Harry Terry.

CREDITS: Produced and Directed by George King.

DIRECTION, Adequate. PHOTOGRAPHY, Poor.

Buenos Aires House Exits As U. S. Pix Show Window

Buenos Aires (By Air Mail)—Buenos Aires' famous de luxe film theater, Gran Cine Ideal, will pass from the management of Lautaret & Cavallo to that of Francisco Reich, former distributor of European pictures here, on May 1, 1941. It is understood that Reich got the contract to manage the theater by offering a rental increase of 20 per cent. During the past two or three years Reich had organized a chain of theaters showing three and sometimes four pictures at 40 centavos (ten cents).

Deal means the end of the Gran Cine Ideal as the Buenos Aires show window for the big productions of M-G-M, RKO and Twentieth Century-Fox at increased prices. For instance, "Gone With the Wind," played the house at 15 pesos (about \$3.60), admission including soft drinks and sandwiches.

Bergman in Curacao Post

Godfrey Bergman, appointed manager of a new 1,200-seat theater in Willemstad, Curacao, Dutch West Indies, sails Nov. 8. The house is owned and operated by Messrs. Mensing & Co., and will be opened in the near future.

"Let George Do It"

with George Formby, Phyllis Calvert, Garry Marsh

73 Mins.

IMAGINATIVE FARCE WITH FORMBY, ACE BRITISH COMIC, KIDS THE WAR, ESPIONAGE AND HITLER.

Produced in England at a time of national emergency, this import is an amusing comedy and a good insight on the indomitable spirit of the English people. Dealing with spies, the story is a farce throughout and achieves lots of laughs. Story kids the war, spies and Hitler, and a sufficient amount of imagination has been used in the concoction of the story to lift it out of the usual formula routine.

George Formby is corking in the lead role and he has a hard working cast backing him up. Phyllis Calvert, Garry Marsh and Romney Brent are prominent in the supporting cast. Picture was produced by Michael Balcon and directed by Marcel Varnel.

Formby, a ukelele player in a band, accidentally gets sent to Norway to replace a British agent who was murdered while playing the uke in a band there. In the confusion Formby has no idea of why he wound up in Norway, but gets the job in the band anyway, with the bandleader, Garry Marsh, head of the Nazi espionage ring. Formby bungles and struggles along through one situation after another from there on and manages to come up with the information the British want, and save his own neck in the bargain. Scene where Formby says Hitler is socko.

CAST: George Formby, Phyllis Calvert, Garry Marsh, Romney Brent, Bernard Lee, Coral Browne, Helena Pickard, Percy Walsh, Diana Beaumont, Torin Thatcher, Donald Calthrop, Hal Gordon.

CREDITS: Producer, Michael Balcon; Director, Marcel Varnel; Original Screenplay, Angus McPhail, John Dighton, Basil Dearden and Austin Melford; Cameraman, Ronald Neame; Editor, Ray Pitt.

DIRECTION, O.K. PHOTOGRAPHY, O.K.

Nolan, Bari for "Sleepers East"

West Coast Bureau of THE FILM DAILY

Hollywood—Lloyd Nolan and Lynn Bari have been cast by 20th-Fox for top roles in "Sleepers East," which Lou Breslow is adapting from Frederick Nebel's mystery novel. It goes into production the middle of November under the directing of Eugene Forde.

20th-Fox Buys Two Novels

West Coast Bureau of THE FILM DAILY

Hollywood—Twentieth Century-Fox has bought screen rights to F. Van Wyck Mason's novel, "The Bucharest Ballerina Murders," which Lippincott will publish Nov. 1. Company has also bought "Swamp Water" by Vereen Bell which is to be serialized in the Satevepost.

Gilman Plans Duds at Dime

Minneapolis—Irving Gilman, operator of the Esquire and Crystal Theaters is leasing the 1,200-seat Gayety, Harry Hirsch's former burlesque house, and will operate with a duals policy at a dime offer.

REVIEWS OF THE NEW FILMS

HOLLYWOOD SPEAKING--

By RALPH WILK

HOLLYWOOD

"The Ape"

with Boris Karloff, Maris Wrixon,
Gene O'Donnell

Monogram

62 Mins.

GRIPPING MELODRAMA, WELL PRODUCED AND DIRECTED HOLDS PLENTY OF THRILLS.

This is a gripping picture, well produced and directed, with Boris Karloff giving an excellent performance in the starring role. Director William Nigh has kept the interest well sustained from the beginning to the end and has gained good performances from the members of his cast. Scott R. Dunlap functioned as producer and William Lackey as associate producer.

Maris Wrixon is sweet and appealing as the girl, a paralytic victim, whom Karloff, a doctor, tries to cure. Gene O'Donnell plays the young man in love with Maris, and Dorothy Vaughan enacts the role of her mother. Henry Hall, Jack Kennedy, Jessie Arnold, Selmer Jackson, and George Cleveland are among the principals.

A circus ape critically injures his guard, who is taken to Karloff's office. Karloff takes some spinal fluid from the dying man and injects it into Maris' bloodstream. The doctor needs more fluid to treat the girl, and when the ape tries to attack Karloff, Karloff throws a chemical at his eyes. He blinds him and is able to kill the animal.

Karloff dons the skin of an ape and slays Philo McCullough, who has been cruel to his wife and neighbors. He removes spinal fluid from his victim and uses it in his attempt to cure Maris. Karloff is finally tracked down and as he lays dying from a bullet wound, Maris, who has just regained her power to walk, comes to him.

CAST: Boris Karloff, Gertrude Hoffmann, Henry Hall, Gene O'Donnell, Maris Wrixon, Jack Kennedy, Dorothy Vaughan, Jessie Arnold, Selmer Jackson, Philo McCullough, George Cleveland.

CREDITS: Producer, Scott R. Dunlap; Associate Producer, William Lackey; Director, William Nigh; Story, Adam Hull Shirk; Screenplay, Richard Carroll, Kurt Siodmak; Cameraman, Harry Neumann.

DIRECTION, Good. PHOTOGRAPHY, Good.

New Title, "Road to Rio"

West Coast Bureau of THE FILM DAILY

Hollywood—"Road to Rio" is the new title for 20th-Fox's "Rings On Her Fingers," in which Alice Faye, Don Ameche and Carmen Miranda will appear. Irving Cummings will direct. George Seaton and Samuel Hoffenstein are preparing the screenplay. Mack Gordon and Harry Warren will write the music, and Hermes Pan direct the dances.

"Reuter's" Capital Review

Washington Bureau of THE FILM DAILY

Washington—Warners will preview "A Dispatch from Reuter's" under the sponsorship of the English-Speaking Union in the Department of Interior auditorium Monday night.

It's "Escape to Glory"

"Escape To Glory" will be the release title of Columbia's pix previously known as "Passage West."

★ SHORTS ★

"Flag of Humanity"

Warners

20 Mins.

Splendid Technicolor Short

Every exhibitor should book this short. The story of the founding of the Red Cross in this country, and the life-long fight of Clara Barton, a New Jersey school teacher who conceived it is told dramatically and interestingly in this two-reeler. Technicolor lends the picture a rich background.

Miss Barton, defying Army rules that women could not go to the front lines, wheedled a pass from President Abraham Lincoln and started her career of helping the suffering during the Civil War.

Her work is traced as she goes to Europe to observe and study the Red Cross there. Covered, too, is her unending fight to have this country sign the Geneva Treaty, which subscribed to the tenets of humanitarian organization. Finally, President Garfield signs the treaty and she becomes the first president of the American Red Cross.

Jean Negulesco directed expertly. The capable cast included Nana Bryant, Fay Helm, John Hamilton, Ted Osborne and John Arledge.

"Window Cleaners"

RKO

8 mins.

Hilarious Cartoon

Donald Duck, window cleaner, and his assistant, Pluto, will draw plenty of hearty laughs from audiences in this cartoon. Pluto hoists Donald to the top of a building to start work. All sorts of things start happening to him immediately and he finally winds up in a drainpipe, with Pluto preventing him from getting out because he is sleeping across the mouth of the pipe. Short is a Walt Disney production.

"Picture People"

RKO-Pathé

9 mins.

Hollywood Inside

Second in Pathé's new series about Hollywood and Hollywood people, this reel has an interesting selection of material and the presentation is intelligent. Elsie the Cow, Bob Burns and Bill Robinson provide short clips for the short. In another sequence, Anita Louise, Carole Landis, Olympe Bradna and Robert Stack are seen. Raquel Torres and Gilbert Roland also get before the cameras in a tennis match. Louise Rousseau directed the film. It should interest the many fans who follow the stars and Hollywood doings.

"Information Please"

RKO-Pathé

10 mins.

Up To Series' Standard

Ruth Gordon, stage and screen actress, augments the board of ex-

perts in the newest release in the series. Oscar Levant, John Kieran and Franklin P. Adams comprise the regular board. The experts wrestle with numerous knotty problems in this reel, and acquit themselves creditably. Frank Donovan produced.

"Stagefright"

Warners

7 mins.

Clever Cartoon

Story opens with a big dog chasing a pup that has a bone. The two dogs tear through an open door and discover they are backstage in a theater. They become involved with a trained seal, a tight rope, and a pugnacious little chicken that lives in a magician's hat, with the chicken finally settling all disputes by breaking the bone in half. It's clever.

"Prehistoric Porky"

Warners

7 mins.

Fair Cartoon

The Stone Age, with its strange monsters and settings, is treated humorously in this new adventure of Porky Pig's. Cast as a caveman, Porky sallies forth in search of a new fur coat. His tribulations and mishaps, mixed up with comedy gags, should get a fair amount of laughs. Leon Schlesinger produced.

"Fly Fishing"

Warners

10 mins.

Interesting Sport Reel

Filmed in natural color, this sport reel, with champion fly caster Dick Miller effectively demonstrating how to handle a fly pole, should appeal to fishermen and nature lovers. Miller demonstrates how to tie flies and shows numerous different methods of casting, and then catches some fish to prove that he knows how to do it. Locations for the reel are beautiful.

"Holiday Highlights"

Warners

7 mins.

Amusing Short

A satire on national holidays, this cartoon contains a number of good laughs. Gags illustrate the different ways in which various holidays are celebrated in different sections of the country. Leon Schlesinger produced the short.

"Trailer Tragedy"

RKO

17 mins.

Amusing Comedy

Edgar Kennedy, his wife, and his father-in-law, Bill Franey, start out for a vacation in Kennedy's trailer. Trouble ensues immediately. The finance company takes the tow car because Franey forgot to mail the payment. Franey is thrown out by Kennedy, but meets a pal in an auto camp and is left in charge before Kennedy knows that he is even in the camp. Finally the finance company also takes the trailer. Kennedy has plenty of opportunities to burn up and there are lots of laughs. Harry D'Arcy directed.

(Turn to Page 8 for more reviews)

CHARLIE RUGGLES' staff of four employees at his See-Are Kennels, who registered recently, have been informed by Ruggles that if they are called, they would receive one-half of full salary for term of conscription. All are single, with no dependents and are former extra players.

FOLLOWING the announcement of a starring date for "There's Always Juliet," Director Edward H. Griffith received a letter from a former extra, who recently finished a term in Joliet prison. The man asked for a job as technical director on "There's Always Juliet." He thought it was a prison picture.

BILLY MANN, formerly one of the Yacht Club Boys, has turned agent and has become an associate of Lou Irwin.

SHELVING "Fisherman Gregory" temporarily, Director Al Rogell is reading gallery proofs on "The Front Gate," a forthcoming Colliers' story by Earl Briant. The yarn is spun around a football player who goes "Hollywood."

ANDREW STONE, producer-director, is negotiating with Charlie Ruggles for movie rights to his forthcoming novel, "What Makes The Clock Tick," which will be published in January. Strangely opposed to his comedy character, the book looks into the future to predict what will happen 10 years from today.

JACK OAKIE writes that he lost a hat, a glove, a scarf, three buttons and a pocket off his suit and a cuff off his shirt when autograph hunters mobbed him at the New York premiere of "The Great Dictator" in which he plays the comedy character of "Napoloni."

IN appreciation of his recent address before the B'nai B'rith, George Murphy has been presented with a framed testimonial. Hugo H. Harris, chairman of the entertainment committee, headed the delegation which made the formal presentation to Murphy.

CLARENCE BROWN Tuesday used eight gladiators of the hempen ring, with outstanding cauliflower ears, for a gymnasium scene for "Come Live With Me," at M.G.M. Four of them were former title holders who were internationally prominent.

TWENTIETH-FOX may do a feature based on the career of the late Tom Mix, an early Fox Films star.

WARNERS announce the shelving of "She Stayed Kissed" because of casting difficulties. Can Hollywood be slipping?

Union Ruling May End Testing Here

(Continued from Page 1)

put into effect by the union without any discussion of the matter with studios where tests are made, and that threat of a strike was used this week at the Movietone Studios to enforce the ruling. Protests are said to have been registered with Mayor F. H. LaGuardia by the film companies, and legal action is being instigated with a protest to the Labor Relations Board expected to follow.

A film company executive yesterday said that under such arbitrary conditions, with no choice left the employer as to who could work for him, the only sensible thing to do was to shift all activity of this sort to the Coast. The union is not affiliated with the IATSE, it was said.

It was also reported yesterday that District Attorney Thomas E. Dewey might be asked to investigate the matter.

All Smooth Sailing in N. W. Allied—Lebedoff

Minneapolis—Published reports of differences between Fred Strom, executive secretary of Northwest Allied, and S. G. Lebedoff, member of the Board of Governors, are emphatically denied by the latter. Lebedoff insists that the organization is functioning smoothly with its paid up membership at an all-time high.

Lowe Leases Sterling House

Kansas City—"Doc" Lowe, operator of the Lowe Theater, Sterling, Kan., has leased his theater to J. H. Neely, of Wichita. Lowe and W. A. Snell have formed the Star Theater Co. and will continue to operate theaters at Lyons, Holsington and Hays.

Metro Plans Two-Re-Makes

West Coast Bureau of THE FILM DAILY
Hollywood—Metro is planning to re-make "Bad Man" from Porter Emerson Browne's play, rights to which it has acquired from Warner Bros., and "Tell It to the Marines" which was filmed in 1926 with William Haines and Lon Chaney. "Bad Man" is intended as vehicle for Wallace Beery.

Para. to Co-Star Crosby-Astaire

Hollywood—Paramount is planning to co-star Bing Crosby and Fred Astaire in a film musical with Mark Sandrich producing and directing. Studio is seeking deal with Irving Berlin to write the music.

WEDDING BELLS

Denver—Gail Seegmiller, assistant booker at the Columbia exchange, was married at Salt Lake City to Evelyn Mae White.

REVIEWS OF SHORT SUBJECTS

"Kentucky Royalty"

RKO-Pathé

9 mins.

Fine Equine Subject

Kentucky's blue grass meadows and the royalty of those meadows, the great thoroughbreds who are the blue-blooded champions of the tracks, are seen in this reel. Gallant Fox and Sir Galahad III, two of the great turf greats are seen at their breeding farms. An auction is also seen in the reel, with Clem McCarthy handling it. The reel concludes with some good shots of a race. Frank Donovan produced the short.

I-I Employees In Service To Receive 2 Weeks Pay

Chicago—Indiana-Illinois Theater circuit has notified its employees it will pay two weeks' salaries and continue payments for group insurance during the tenure of military service whether employees enlist or are called by conscription. Positions will also be open on their return from service.

"Handsome" Gets Five Players

West Coast Bureau of THE FILM DAILY

Hollywood—Cesar Romero, Virginia Gilmore, Charlotte Greenwood and Milton Berle have been set in 20th Century-Fox's musical production, "Tall, Dark and Handsome." Picture goes into production Nov. 18 under the direction of H. Bruce Humberstone.

Golding, City Councillor

St. John, N. B.—W. H. Golding, manager of the FPC's Capitol, was elected to the city council on the Civic Improvement League ticket. Golding has been a theater manager here for 33 years.

Mono. Host to 200 in Chi.

Chicago—Monogram will entertain 200 exhibitors at a luncheon today in the Congress Hotel. Eddie Golden, sales manager, will preside and will discuss the company's new season product.

Imhoff to M-G-M Chi. Office

Chicago—Joseph Imhoff, M-G-M exec. in Milwaukee, has been named office manager of the firm's Chicago exchange, succeeding John Kempton who goes into the sales department. Joseph McMahon takes Imhoff's Milwaukee position.

Craig Gets RKO Term Pact

West Coast Bureau of THE FILM DAILY

Hollywood—RKO has signed James Craig to a term contract. Craig played the second lead in the company's "Kitty Foyle."

"Parachute Squadron" for RKO

West Coast Bureau of THE FILM DAILY

Hollywood—Howard Benedict will produce "Parachute Squadron" for RKO. Story will concern the parachute division of the American Army.

"Joe Reichman and His Orchestra"

Warners

10 mins.

Smooth Musical Subject

Audiences that appreciate smooth orchestrations will be well pleased with this subject. Joe Reichman and his orchestra present five numbers expertly and tunefully, "Little Thoughts," "Reichmania," "Night and Day," "Moonlight Sonata" and "Cachita" are the numbers played. Reichman plays several piano solos and a vocalist sings "Night and Day." Reel is opened and closed with a fairly amusing gag. Jean Negulesco directed.

Chicago Film Exchange Union Elects Lamasky

Chicago—Film Exchange Union has elected Sam Lamasky, Columbia shipper as president, George Busch, RKO, business agent and Kenneth Sein, Columbia, secretary and treasurer. The new officers will be inducted early in November. The union, the largest West of New York, with 225 members, until recently, has been working under the jurisdiction of the Chicago Operators Union officials.

Quiz Show Into Theater Eliminates Competition

Springfield, Mass.—George Freeman, manager of the Loew-Poli switched a furniture company's new quiz program from a contemplated free auditorium stunt to his theater stage Friday evenings beginning Nov. 1. Program proved too big for the studios of the radio station. Theater patrons will be entitled to remain for the broadcast.

Goldberg Leases Quarters

Cleveland—Lee Goldberg, PRC franchise owner covering the Cleveland, Cincinnati and Indianapolis territory, who will make Cleveland his headquarters, has leased the store room space of the Film Bldg. formerly occupied by National Theater Supply Company. PRC expects to occupy this space this week when necessary alterations have been completed.

20th-Fox Signs Evelyn Ankers

West Coast Bureau of THE FILM DAILY

Hollywood—Twentieth Century-Fox has signed the English stage and screen actress, Evelyn Ankers, for the leading feminine role opposite George Sanders in "Uncensored." Edmund Gwenn will have a role in it. Sam Engel is adapting the story. Sol Wurtzel will produce.

More "Flesh" for Syracuse

Syracuse, N. Y.—Ozzie Nelson and band and Harriet Hilliard open at the RKO Schine Strand here tomorrow for a week. Set to follow are the Three Stooges and Reggie Child's band.

Manila Trust Suit Faces 2-Year Trial

(Continued from Page 1)

and Innocentes de la Rama, Inc., circuit operator, will resume before Judge Jose O. Vera in the Manila Court of First Instance on Nov. 6. Further testimony of S. M. Borja, president of Acme Films, Inc., called as a witness by the plaintiff, is scheduled to be heard at that time. He may be on the stand through the three-day session, and possibly longer.

Without written permission from the Commonwealth's Supreme Court Chief Justice, but three days during any month may be allotted to any case, and except for urgent reasons, only another three-day period may be obtained. This means that at least two years will be required to try the case, unless it should be sent to a referee.

The original complaint was filed more than four years ago. Case arises from difficulties allegedly encountered by the plaintiff's Cine Arco in Bacolod, Occidental Negros.

Gibbs & McDonough are counsel for the major distributors. Involved while Ferrier & Hill represent the plaintiff.

Jack Warner Speaks at Mark Hellinger Luncheon

(Continued from Page 1)

given by the club in Hellinger's honor at the Waldorf-Astoria yesterday.

Warner praised Hellinger, saying, "Mark has the greatest capacity for work of anyone I know, and where he gets the hours to do all he does, I haven't the faintest idea."

Among those at yesterday's affair were Charles Chaplin, Ray Bolger, Abbott & Costello, Jack Haley, Dwight Fiske, Romeo Vincent, Gene Autry, James J. Walker, Walter Winchell, Gene Tunney, Ricardo Cortez and Bugs Baer, who emceed.

Nazi Bomb Breaks "U" Glass

Two plate glass windows covering displays for "The Boys From Syracuse" and "When the Daltons Ride" in the London office of Universal's distributors were shattered by a Nazi bomb blast but the displays, themselves, were not damaged, the home office has been advised.

Ind. Operators Ask Higher Pay

Chicago—Operators in Hammond and Whiting, Ind., are asking for higher wages for the new season. Theater owners are meeting to decide on their action.

STORKS!

Denver—Born to Mr. and Mrs. Tommy McMahon a son, Tommy, Jr. Father is booker at Universal exchange.

Building
Remodeling

THE Film Equipment News DAILY

Equipment
Maintenance

VOL. 78, NO. 83—Second Section

NEW YORK, FRIDAY, OCTOBER 25, 1940

TEN CENTS

DEFENSE PROGRAM AS SPUR TO BUILDING SMPE Told of Silent Camera, Tiny Sound Unit

PLAIN TALK

... about equipment

By GEORGE H. MORRIS

Equipment Editor, THE FILM DAILY

IT'S not with the idea of quibbling with the dictionary. That good book is too authoritative. But it does seem that its definition of the word "showman" might be made to apply more closely to most motion picture exhibitors of today via a slight but important change. As Mr. Webster sees it, a showman,—and we quote,—is "one who exhibits, or aids in exhibiting, a show." The word we don't like is that little two-letter affair,—OR. When you replace it with AND, you have a definition which fits the thorough showman. In the high standards of film exhibition, unless a man is a thorough showman, he isn't deserving of that designation.

THE day has gone when any real theaterman can be content to just book a program and go through the mere motions of collecting coin at the box-office, getting the footage on the screen, sending the patrons home, and counting the "take." There is no ginsaying that this routine prevails (alas!) in a lot more instances than are good for the industry. But you couldn't term the perpetrators thorough showmen. It's stretching a point to call them showmen at all.

BUT it's a different story when a theaterman exhibits, AND aids in exhibiting, a film show. The more he aids the more of a showman he is. Then he is doing right in behalf of himself, his patrons, his sources of product supply, and the industry itself. Among the most vital aids the thorough showman gives to each of the foregoing is the proper equipment and maintenance of his theater. He caters to the delicate and discriminating senses of his customers,—for everywhere such senses are the same, by

(Continued on Page 2)

Public Is Wide-Eyed At Equipment 'Show'

Display of newsreel equipment, both old and modern, including many of the cameras that have been used in photographing some of the world's outstanding events, gave the recent formal opening of the Airlines News Theater in the Airlines Terminal, 42nd St. and Park Ave., a genuine equipment flavor. The cameras and kindred gadgets attracted a lot of attention, proving that John Q. Public is definitely interested in the causes back of his entertainment, as well as the effects.

New Methods of Protecting Film Against Scratches Devised by Eastman Kodak

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—Film industry experts speaking before delegates to the SMPE Fall Convention, disclosed at yesterday's session a group of four standout developments viewed as certain to contribute valuably to the technical field of motion pictures. The advances described comprise a new type silent movie camera; a method of protecting motion picture film against scratches and surface damage; a portable film sound recording unit whose weight is only 50 pounds; and a better method of rating camera and projector lenses.

The session, one of the 11 technical lecture and discussion periods scheduled—

(Continued on Page 6)

Griffith-S'western In Expansion Move

Oklahoma City — Griffith-Southwestern Theaters have purchased an interest in the local Blue Moon Theater which Ted Griffith, formerly operator of the Film Exchange lunch-

(Continued on Page 6)

Equipment Demand Firm In Chicago Territory

Chicago—Latest supply orders of record, filled by local NTS branch, comprise E. Shafer's Shafer, La-

(Continued on Page 7)

Glass Industry Aided by Fair Execs. of Four Companies Cite Benefits

Warners Reopen House Planned by Ebersons

Bristol, Conn.—Warner's have reopened the 806-seat Bristol Theater here. The house, built on the site of the former Bristol destroyed last year by fire, is completely fire-proof construction.

John and Drew Ebersson are the architects, and the construction was supervised by Herman Maier, chief

(Continued on Page 7)

SENTIMENTAL FOR ORIENTAL

Asiatic in Honourable Jam—
So Erpi's Heart Melts

Miles Goldrick, Erpi assistant general foreign manager now on a tour of the company's Asiatic offices, reports that the following epistle was received from an Oriental customer who was a bit short on his payment for a Western Electric audiophone:

"Many thanks for your kind letter of the 24th Inst. In reply I beg apology for words which displeased and offended you. As I am exceed-

(Continued on Page 5)

New House Features Community Center

St. Louis—Plans for the construction of a Community Center at the northeast corner of the Arkansas-Missouri Highway and "D" St. in Park Hill, are being completed by Brueggeman, Swain & Allen, and

(Continued on Page 7)

Rook Places Contracts For Charles Theater

Montgomery, Ala.—Standard Glass Company of this city was awarded the contract for a structural glass front of ivory and blue design and two 60-inch circle mirrors for

(Continued on Page 5)

Flow of Money for Arms Aids Both Theater Men and Equipment Companies

Manufacturers of equipment utilized in film theaters stand to derive large-scale benefits, both directly and indirectly, from the current national defense program, a canvass of sources competent to pass judgment establishes.

In addition to huge Government orders to meet war preparedness needs, the companies face mounting revenue from circuits and exhibitors generally as, their receipts responding to the spending trend, the latter move to build and re-build, equip and re-equip.

George H. Bucher, president of Westinghouse Electric and Mfg. Co., points out that his organization is working on approximately \$94,000,000 of orders for material needed in the national defense program, and

(Continued on Page 4)

Remodeling Active In Detroit Sector

Detroit—Wave of remodeling, including large and medium-sized jobs, is evidently under way in this territory, evidenced by reports from va-

(Continued on Page 6)

Further Service Deals Are Finalized by Altec

Altec's recent activities in the South are highlighted by a brace of new contracts and contract renewals in the Atlanta territory.

Frank Merritt has renewed Altec agreements for his six theaters in

(Continued on Page 7)

Christens New Movie After Cage Squad

New Philadelphia, O.—This city's new \$100,000 theater, which will be formally opened to the public about Nov. 1 has been named the Quaker, after the New Philadelphia high school basketball team, state champions. New theater which will accommodate 800 patrons is nearing completion, according to Ray Hickman, district manager for Shea Theaters. Colored plaster is being used in the decoration of the theater auditorium.

Presidents of the four large companies exhibiting in the New York World's Fair Glass Center expressed at mid-week the view that the exposition has been an extremely effective and productive promotional medium for the glass industry. The Glass Center was a mecca for film theater architects and exhibitors.

Speaking for his organization, William E. Levis, president of the Owens-Illinois Glass Co., asserted "We sometimes wish it were possible

(Continued on Page 4)



A Second Section of THE FILM DAILY comprehensively covering the equipment field, published every second Friday, except holidays, by Wid's Films and Film Folk, Inc., 1501 Broadway, New York City. John W. Allicote, Publisher; Donald M. Mercereau, General Manager; Chester B. Bahn, Editor; George H. Morris, Equipment Editor. West Coast Bureau, 6425 Hollywood Boulevard, Hollywood, Cal., Ralph Wilk, Bureau Chief.

PLAIN TALK

... about equipment

(Continued from Page 1)

and large, and have nothing to do with whether his house is "class" or "mass," or whether the scales are roadshow or nickel-odeon. The best projection is none too goods,—nor the finest sound, the most luxurious seats, and the clearest screen, and all of the many, many things which spell complete oral, visual and physical comfort.

THREE wise men, all of different eras before Edison's brain gave movies commercial birth, have penned barbed phrases on sight, sound and comfort. Said John Ruskin: "There is only one way of seeing things rightly, and that is, seeing the whole of them." Said Pope: "And empty heads console with empty sound." Said Shakespeare: "O, my good lord, that comfort comes too late." These are not all unsuited for jotting by the not-so-thorough "showmen" on their desk pads.

ANOTHER mild plaint we have with the dictionary is that it doesn't say a thing under "ostrich" of that bird's alleged tendency to stick his head in the sand. Maybe Mister Webster is saving that up for a particular genus of exhibitor-bird.

Garwick Gets Nod To Build New Texas House

Houston, Tex.—Contract for construction of a new \$50,000 theater building here for the O. K. Theater Corporation, of Dallas, has been awarded to Arthur K. Garwick, Dallas contractor. The new house will be known as the Lindale and will seat 900.

Oscar Korn is owner of the O. K. Theater Corporation. Work on the project gets under way immediately.

R. I. House Remodeling

Providence — Extensive improvements are now in progress at Fay's Majestic, including installation of modern seats, construction of an up-to-date marquee, sidewalk box-office, redecoration of the lobby, re-carpeting throughout and installation of a cooling system. A mezzanine lounge in the balcony is also included in the remodeling plans.

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Dividend Payable Today On G-E Common Stock

A dividend of 35 cents a share of common stock is payable today to 211,611 stockholders, making a total of \$1.05 in dividends for the first nine months this year, compared with 75 cents paid for the same period last year.

Charles E. Wilson, G-E president, has announced that net sales billed by the company during the nine months of 1940 amounted to \$287,249,930, compared with \$217,900,154 in the same 1939 period.

RCA Equipment Placed In 10 Mid-West Stands

Chicago—A. E. Klein of the local offices of RCA lists the following recent installations in the territory:

New Beck Theater, Chicago; New Glencoe, Glencoe, Ill.; Alcyon Theater, Highland Park, Ill.; Irwin, Bloomington, Ill.; Roxy, Berwyn, Ill.; Palace, Milwaukee; Tosa, Wauwatosa, Wis.; Dreamland, Powell, Ind.; and the Indiana and Oliver Theaters in South Bend, Ind.

Louisiana House Has Pittsburgh Glass Front

New Iberia, La.—Extensive remodeling of Sliman Bros.' Evangeline Theater at a reported cost of over \$25,000, is completed here. The house, which serves the sugar producing county of Iberia, has been completely redecorated in the modernistic manner.

A new front of Pittsburgh Plate Glass, and a marue by Industrial Electric of New Orleans, are features of the improvements effected.

Laurance Gets Hearing Aids

Paris, Tenn.—Manager Hal Laurance announces installation at the Capitol Theater of an auxiliary sound system for the benefit of patrons with impaired hearing. The system was made and installed by Western Electric. Seats in one section of the theater are wired so that headphones, obtainable at the office, may be plugged in for what is said to be perfect sound reception for even persons with impaired hearing.

CAC Remodeling Stand

Chattanooga—Cumberland Amusement Co. plans a complete remodeling of its Winchester Theater at a cost of \$20,000. A neon-lighted marquee and modern front, with new seats and interior fixtures, give the house a completely modern appearance.

Spending \$8,000 on House

Chattanooga — Independent Theaters is spending \$8,000 for the construction of a new front and otherwise remodeling its house at 823 Market St. New seats and projection equipment will be installed.

Sparks Building Plus Modernizing in Florida

The Sparks Circuit is erecting a new theater at Lake Wales, Fla., and modernizing two other Florida houses. The new house is to be known as the "Lake" and will seat 600. It will have the latest RCA Photophone sound equipment.

Photophone deals have also been closed by Sparks for the 1000-seat "Palace" at Bradenton, managed by Harry Boto, and the 600-seat "Queen" at Ft. Lauderdale, managed by Alex Nininger.

Plans Being Drawn for Schlusell's New Theater

Detroit—Plans for a new 1500-seat theater to be called the Mel, in the south end suburb of Melvindale, are being drawn up by architectural firm of Wright and Rogvooy, for Louis Schlusell, owner of the Farnum Theater in Hamtramck.

Projected parking lot for the theater is the subject of litigation in Circuit Court here, with Schlusell suing certain parties who claim, he stated, to hold a lease on ground intended for the parking lot.

WB Circuit Bettering Theaters in Chi. Area

Chicago—Warner Bros. Theater circuit is continuing improvements in the local territory. The Grove is receiving 1,000 new seats of special design, worked out by the company's theater department.

Seats are of extra depth, with mohair backs, leather air breathing cushions, all steel panels and ball bearing hinges.

House Is Carroll-Planned

Wilmington, Del.—Armand Carroll, Philadelphia, is designer of the \$200,000 theater to be built by the Wilmington Construction Co. in suburban Edge Moor Terrace. House will have a seating capacity of 800.

As noted, long-term lease on the Edge Moor Theater has been signed by Albert J. Fischer, Jr., Glenside, Pa., owner of the Keswick and Narbeth theaters in the Philadelphia suburban area.

Silsbee-Smith Design Another

Elyria, O.—The Rialto, long closed, will be rebuilt and reopened as soon as possible, by the Rialto Theater Co. Alterations are being designed by Silsbee & Smith, Elyria architects, and include a new front, general exterior and interior decorations, new seats and air-conditioning.

Carnahan Leases Ky. House

Irvine, Ky.—Frank Carnahan, who is building a new theater here has taken a lease on the old theater at Revanna, dark for some time. Following remodeling, Carnahan will reopen it.

COMING and GOING

JAMES FRANK, JR., manager of the New York branch of National Theater supply, returns to his office from the Coast early next week.

BOB WALKER of Walker American Corp. has arrived in New York from St. Louis.

JULIUS HABER, RCA Mfg. Corp.'s promotional chief, is scheduled to arrive in Camden, N. J., on Tuesday morning from Hollywood.

JOHN and DREW EBERSON, film theater architects, returned to New York yesterday, following their trip to Bristol, Conn., for the opening of Warner's new Bristol Theater which they designed.

A. BOUNDROURIS of Strong Electric Corp. of Toledo is in town on a business trip.

JOE HORNSTEIN of Joe Hornstein, Inc., is back in New York from a brief trip to Chicago.

FRANCIS M. PAIGE, film theater lighting expert of the Nela Park Engineering Dept. of C-E, leaves the Coast this week-end for Cleveland.

H. W. GRAHAM of Graham Bros. Theater Equipment of Denver visited Chicago this week.

WAYNE BRENKERT of Brenkert Light Projection Co. arrived in town this week from Detroit.

WILLIAM GEDRIS is scheduled to return to his desk at Ideal Seating, Grand Rapids, following a visit to New York.

ED CAHILL, manager of Photophone Division of RCA Mfg. Co., was in New York this week from Camden.

GEORGE MCARTHUR, Detroit theater supply dealer, has returned to Chicago.

VIVIEN HARLOW of Queen Features Supply, Birmingham, Ala., has returned to her headquarters there from a brief visit to the Mid-West.

Thimmig Alters McNair Via Latest Materials

St. Louis—Walter Thimmig, owner of the McNair Theater, 2869 McNair Avenue, has received bids from contractors on plans for extensive alterations to the theater.

The plans and specifications prepared by O. W. Stiegemeyer, 4412 Lindell Boulevard, call for a new structural glass front, and use of ornamental aluminum, Marlite wood veneer, Ludite board, plaster board and snap-on mouldings in connection with the alterations and improvements.

Large Advertiser Sacrificed

20 De Vry 16mm sound-on-film outfit gets complete with 750 W Lamp; 1600' reel; AC/DC motor; FL65 lens; amplifier; loudspeaker, cables, two carrying cases.

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THEATRE OWNERS SAY:

"Those new 'One Kilowatt' arcs are the best investment I ever made. The box office figures show it. Fifty per cent more screen light, comfortable vision at all times, and color that is really *natural* — I tell you, people notice those things. No theatre in town puts on a better show than mine. But you'd be surprised how little it cost."



PROJECTIONISTS SAY:

"We projectionists try to put the best possible picture on the screen. That's our job. But it takes snow white, high intensity light to do it. These new 'One Kilowatt' high intensity arcs give us small theatre projectionists a break. Better black and white projection — tops for color — as cheap to run as low intensity — Boss, they've got what it takes!"



PATRONS SAY:

"Your pictures are a lot better since you put in those new lamps you were telling me about. Mary and I were saying they are as good as we've seen in any theater. That color feature was as natural as life but what I like most is finding a seat without playing 'blindman's buff.' Believe me, we're steady patrons now."

THE NEW
"ONE KILOWATT" ARCS
USE "NATIONAL,"
"SUPREX" AND
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ARE OPERATED AT A SAFE VOLTAGE.
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Arms Program Aids Equipment Companies

(Continued from Page 1)

that, despite accelerated manufacturing efforts, some of the more than 245 orders cannot be delivered before 1943, assuring the company of capacity activity until that time. It is significant that much of the equipment on order at Westinghouse is for other industrial concerns which themselves are expanding for their share of defense work.

GE Faces Big Upswing

General Electric is in much the same position, and faces a big upswing in revenue as a result of the preparedness drive. Charles E. Wilson, G-E president, gives some indication of the volume of business now on hand and receipt of further orders via citation of the 48 per cent gain in organization's net during the first nine months of 1940.

RCA recently announced the borrowing of \$15,000,000 to effect expansion, and Bausch & Lomb, makers of lenses extensively employed in film houses, have reported appreciable boost in revenue, while Wall Street channels express the conviction that this company appears certain of further gains as the defense program picks up momentum. Eastman Kodak is laden with defense orders, and is expanding the Hawk-Eye Works via a six-story building to increase plant's capacity by some 50 per cent.

B. F. Goodrich Co., of Akron, O., among whose products are the latex sponge rubber gaining immense favor in film theater seat comfort,—are declared to be expanding manufacturing facilities attendant upon the defense program.

Camp Zone Building Boom

Manufacturers of projection equipment, screens, carpet, sound, reproducing units, fabrics, fixtures, and an impressive list of other film house equipment are also in the current profit parade. Training camps, according to the War Department, will have suitable facilities in the way of theaters and equipment for the presentation of motion pictures.

That a theater building boom is on in every locale in which training camps have been, or are to be set up, is patent from reports issuing from various sections of the nation that indie exhibs. and circuit operators are having houses built immediately adjacent to camps, or within reasonably easy access.

Economists hold public purchasing power is certain to advance sharply in the near future, and that indices show that among the very first industries to benefit by such a course is the film business, and the first wing of that industry to profit is the exhibition end. Widespread employment, emanating from the defense program, will be the chief wellspring of public income rises, it is asserted.

Peretta Makes Replacements

Mahoningtown, Pa. — Louis Peretta is completely re-equipping his sound and projection setup for the local Crescent.

OF MATERIAL INTEREST



● ● ● UP in Rochester t'other day.....years of patient experimentation in night aerial photography.....reached a brilliant and successful climax.....albeit the goin's-on did frighten scores o' citizens.....as "bombs" burst in air.....But it all proved to an Army expert.....that movies of troop movements and areas previously shielded by nightfall.....can be made.....Working in co-op with Eastman Kodak technicians atop a Kodak Park building.....where special light-measuring equipment had been set up.....Major George W. Goddard, U. S. Army photographic chief, staged the display.....from a bomber piloted by Lieut. Marcus Cooper.....

● ● ● MAJOR GODDARD was pleased with results.....and announced that several of the pix taken in the multi-billion candlepower light furnished via the secret bombs....."came out all right".....Each of the 12 flares dropped from the plane.....from an altitude of 'bout 5,000 feet.....illuminated an area of five square miles.....and was accompanied by an explosion which shook buildings.....Each brilliant illumination.....during which synchronized photographic apparatus in the plane automatically took pix of ground objectives.....was described by the Major as....."equivalent to that which you get when the sun is on the horizon....."He predicted that the secret bomb and its synchronized photo equipment would be widely accepted.....by our fightin' forces.....and praised Kodak scientists.....working under Dr. Walter Clark, research chief.....for their co-operation.

● ● ● THAT was durn clever blueprint broadside.....which E. R. Fensin.....general manager of General Seating Co.....concocted out in Chi.....to clarify the birth of his daughter.....christened Janet Susan Fensin.....The announcement of the arrival of this new 1940 Model.....described the product fully.....even to specifications and guarantees!.....

● ● ● TWAS a right versatile delegation RCA shipped out to the SMPE Coast conclave: Eugene Ritter, Ralph Austrian, Dr. V. K. Zworykin, Dr. E. W. Kellogg, G. L. Dimmich, Julius Haber, et al.....Mister Ritter, by-the-way, led the delegation and carried along his new title which runs somethin' like this: vice-president in charge of all RCA's manufacturing and production engineering activities (post from which he rose was general manager of radio tube manufacturing).....Other RCA promotions announced: H. L. Sommerer, former manager of manufacturing, appointed assistant to Ritter.....E. W. Engstrom, former director of general research, made manager of all research activities.....E. E. Lewis appointed assistant vice-president as exec. head of accounts and finance.....and H. L. Beisswenger, I. T. Kitzmiller, and E. M. Moore were appointed assistant controllers in respective charge of budgets, taxes and insurance.....

● ● ● FROM Chicago comes word that C. B. Ketcham has been named manager of the Cincy offices of Westinghouse.....and that C. G. Jewett goes to Columbus, O., as manager of that office.....About as neat a new "trick" for your domicile is the latest home recording radio instrument just announced by G-E's K. G. Patrick of the company's N. Y. offices in behalf of the radio and tele department.....Speaking of G-E, Dave Fitzgerald has been appointed assistant to Manager G. H. Shill of the Plastics Dept.....

Glass Execs. Praise Results from Fair

(Continued from Page 1)

for us to conduct every one of the people of the U. S. through one of the many Owens-Illinois Glass Co. plants located in all parts of the country. It would afford us an opportunity to show the wonders of glass manufacture and from it we are sure would come a better appreciation of glass and the science which goes into its making."

H. S. Wherrett, president of the Pittsburgh Plate Glass Co., whose product is increasingly used in film theaters, said that more than 10,000,000 individuals visited his and other glass companies at the Fair.

Amory Houghton, president of the Corning Glass Works stated that the original hope of his company, with its extensive research, was that the Fair exhibit might achieve a wider public understanding of the nature and possibilities of glass, and that the realization of this hope has served indirectly to further the advancement of one of the most vital materials of the World of Tomorrow.

Harld Boeschstein, president of Owens-Corning Fiberglass Corp., praised the Fair and called attention to the fact that glass fibers were so new in form, so remote in uses from the concept people had of glass, that to many only from this seeing could believing come.

Cornelford's Pushing Work

Bloomsburg, Pa.—Work has been progressing rapidly on the Cornelford's new Columbia Theater here with the grand opening expected before Thanksgiving. Nearly all the plastering has been completed and work is now in progress on the interior trim. New Simplex projectors were installed in the projection booth along with other Simplex equipment.

New Hearing Aid Ready

Chicago—The Aurex Corp. of Chicago has perfected a high Fidelity sound reproduction hearing aid for the theater trade. The instrument weighs five ounces, which result is accomplished by the use of moulded plastics for the hearing case.

McGowan Calls It Lark

Larksville, Pa.—After renovating and installing new seats, floors, carpets, projectors, screen in the old Larksville Theater, Operator Leo McGowan has reopened the house as the Lark.

Shook Plans New One

St. Clair Shores, Mich. — Roy Shook, owner of the Shores Theater here, will erect a new 1,000-seat theater in the community.

Re-seated Palace Open

McAdoo, Pa.—New Bodi-Form seats were installed in the Palace Theater here. The house was closed for two days to permit the installation.

Fluorescent Carpet Asset to Showmen

New film house construction and renovation operations in existing outlets have brought into extensive use the new Fluorescent Carpet manufactured by Alexander Smith & Son.

This carpet, available in a wide variety of designs, is being widely favored not only by circuits and indie exhibitors, but also by a large number of film theater architects serving their clients needs.

Checkup discloses that since the new carpet came on the market, demand for it has been steadily on the upgrade, not only because of the fundamental characteristics demanded of serviceable floor covering in the present-day motion picture house, but also for the reason that, under near-ultraviolet radiation, it presents the phenomenon of giving off a glow. This property has resulted in its rapid acceptance by the film houses interested in the novelty aspect and the safety factor.

J. B. Gardner to Run New Black-McCrum House

Charleston, W. Va.—Construction work is going forward on a \$50,000 motion picture theater at the corner of 39th Street and MacCorkle Avenue, Kansas City.

The new house is being built by Dr. W. P. Black and A. B. McCrum and will seat 600. It will be leased to John B. Gardner, present manager of a South Charleston theater, who hopes to open the new house about Jan. 1.

Gold Leases Park

Nashua, N. H.—Dark five years, the Park Theater has been leased by Ben Gold, manager of the Colonial here for 10 years, and will be opened about Nov. 1. Extensive interior and exterior alterations are being made, the stage is being enlarged for vaudeville and new movie sound equipment is being installed. The Park, one of Nashua's oldest theaters, has a seating capacity of 750.

Bailey Bros. Ready Westville

New Haven—Work is nearing completion on the 732-seat Westville Theater, being constructed by the Bailey Bros., operators of the Whalley and Whitney. It is expected the house will open early in November. Interior decoration and installation of marquee are in progress now. RCA sound will be installed, and seats will be in the next few days.

Mrs. Inks Redecorates

Ligonier, Ind.—Mrs. A. J. Inks, operator of the Crystal Theater here, has just completed the redecorating of her house and the installation of a new Hertner Transverter.

Conway Installs Simplex

Cannelton, Ind.—William Conway has installed new Simplex sound equipment in his Irwin Theater here.

SENTIMENTAL FOR ORIENTAL

*Asiatic in Honourable Jam—
So Erpi's Heart Melts*

(Continued from Page 1)

ingly poor I never had before invested so large a sum in my life and as such I was between fear and doubt because I had pawned up my entire ancestral house simply on your assurance. Now I have been quite confident of your writing and hope that I will never be put into a loss of money or house by you.

"From your celestial and pious spirit I still fervently hope you would not mind the deficiency of the price but show me mercy by sending me 38A Audiphone or even more powerful than 38A if any, since I know neither 37A nor 38A or any other but you know better.

"Since I have no other property left to be mortgaged or pawned but I can afford a little more than the price I have already paid for 37A say 4/- or 5/- or so in addition simply on your saying for a very powerful audiphone for my left ear. If I still be cast down of your merciful eyes I shall certainly be ruined and be put to loss of postal expenses etc. worth for nothing.

"Hence I would implore if still more is required in addition to the above proposed, should, you, therefore, for Heavens sake—pay from your own pocket for God's sake by way of charity and alms but don't miss in giving me ears otherwise I should be totally ruined. Do please consider my deplorable condition favourably. God will help you if you will help me. On my part I will repay yours if I be anything better than the present condition which you will know automatically yourself."

L'Envoi

(Goldrick reports that the Erpi office from its "celestial and pious spirit" sent the Oriental gentleman his audiphone.)

Montreal Stands Improve

Montreal — Advantage is being taken of the fine fall weather to renovate several of the United Amusement Corporation theaters. A new marquee has been erected at the Plaza; the Rialto has a new marquee and new seating, and the Monkland is having its marquee reconstructed. Better business owing to wider employment is regarded as warranting expenditure on improvements.

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Morgan Reports Pickup In Denver Area Trade

Denver — Sales at the Denver branch of National Theater Supply are picking up this autumn, according to J. J. (Jap) Morgan, manager. Predominant in recent sales are four E7 Simplex projectors along with a number of Bausch & Lomb F.2 Cinephor Treated Lenses.

Recent deliveries: J. B. Melton, New Victory, Denver, Bausch & Lomb lenses, Walker Plastic Molded Screen and Alexander Smith Fluorescent carpet; D. B. Cockrill, Denham, Denver, Bausch & Lomb lenses; J. W. Corder, Cody Theater, Cody, Wyo., Bausch & Lomb lenses, E7 Simplex projectors, Peerless Magnarc lamps and Hertner transverter; Carl Vesseth, Palace, Malta, Mont., Bausch & Lomb lenses; O. S. Cleveland, Newcastle, Wyo., Bausch & Lomb lenses, E7 Simplex projectors, Simplex lamps and Simplex rectifiers; Fred Curtis, Teepee, Thermopolis, Wyo., Walker Plastic Molded Screen; J. C. Parker, Wyoming, Lusk, Wyo., Alexander Smith Carpet; C. E. McLaughlin, Ritz, Las Animas, Colo., 505 American Seating Co. chairs; Fox Intermountain Theaters, Denver, Denver, Bausch & Lomb lenses, Walker White Screen, E7 Simplex projectors and Peerless HyCondement lamps; Fox Intermountain, Paramount, Denver, Bausch & Lomb lenses, E7 Simplex projectors and Peerless Magnarc lamps.

Rook Places Orders To Outfit House

(Continued from Page 1)

use in lobby and foyer in the Charles Theater, to be opened soon by Charles Rook, theater circuit owner of Oklahoma.

Eight 40x60 display frames for use in lobby, built by Stanley, were purchased from National Theater Supply Company, Atlanta.

Nolen Electric Company of this city was awarded contract for a 30-ft. electric sign with silhouette letters.

Southern Desk Company, Hickory, N. C. was awarded contract for 940 upholstered seats.

Cannon Shutters for Job

New Haven — John Cannon has darkened his 700-seat Cannon's Theater for three weeks, during which time renovation activities will be completed.

Modern Theater Equipment Co. will install International floating comfort chairs, stage drapes, curtain, carpets, screen, lighting fixtures, and rebuild booth equipment. Sound will be RCA, and lobby and marquee will be reconstructed and redecorated.

Sound for the Quilcene

Quilcene, Wash.—Frank S. Hart is putting new RCA sound equipment in his Quilcene Theater here.



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ALEXANDER SMITH CARPET

Griffith-S'western In Expansion Move

(Continued from Page 1)

room here for many years, purchased recently from H. and A. Waldron. The Waldrons also operate two houses at Alex, Okla., and one at Lindsay, Okla.

Ted Griffith, (no relation to the Griffith Brothers identified with the Griffith Amusement Company) will become a Griffith partner and will operate the house as manager and partner. The house, seating 300 persons now will be enlarged in a \$6,000 remodeling program which will add 25 feet at the rear making room for the addition of 200 more seats. The house will be closed immediately for the construction work.

The Joy Theater, Oklahoma City's only film and burlesque theater which has been closed for several months, is undergoing remodeling and will reopen as the Gaiety. The house, operated by Griffith-Southwestern Theaters, will open with pictures and tabloid musical comedy policy.

Organization now operates three other houses within a block radius of the Joy, they are the Isis, Pix and Reno, all 15-cent grind houses. When the renamed Joy is reopened there will be four theaters operated on four different corners although none of the houses are on corner locations.

Improve Warner Link

Canton, O.—William Harwell, manager of Warner Bros. Ohio here, has announced that renovation of the house will be started soon. Project will include interior redecorating, installation of new cloth on the walls, new floor coverings and modern lighting. Exterior will be given a new coat of paint, marquee improved.

New Malco House Seats 750

North Little Rock, Ark.—Malco's new community theater, which will be constructed at Arkansas-Missouri Highway and D St. in Park Hill, will have a seating capacity of 750 and will be of stadium-type design. Work on the new house is expected to start soon.

WHO'S WHO IN EQUIPMENT

EMERY HUSE. Born in Newburyport, Mass., on Feb. 24, 1897. Attended Central High School, Washington, D. C. Following graduation, matriculated at George Washington University in the nation's capital. At the conclusion of the World War, joined Eastman Kodak Co. in whose research laboratories he spent some nine years. His experience proved invaluable to him, for at about the time that sound films were coming into their permanent own. Huse was assigned by his company to handle its technical research and service to the motion picture industry in Hollywood. Now holds the important post of West Coast manager of Eastman Kodak Co.'s motion picture film department there, headquartered at 6706 Santa Monica Blvd. For many years has been a leading figure in the scientific side of the industry, and active in the affairs of SMPE. At the latter body's Fall Convention held this week in Hollywood's Roosevelt Hotel, he was elected to the presidency of that organization to succeed E. A. Williford.



New Silent Camera Perfected SMPE Hears of Four Standout Developments

(Continued from Page 1)

uled for the five-day convention which closes tonight, was held in the new Walt Disney Studio Theater. The session also included a description of the studio by W. E. Garity and J. L. Ledeen.

Camera Developed at 20th-Fox

The new camera, which fulfills the requirements for sound-stage work without the necessity for the cumbersome anti-noise housing or "blimp," needed to silence standard movie cameras, was described by D. B. Clark, Executive Director of Photography, and Grover Laube, of 20th Century-Fox, where it was developed and is in use.

The new camera achieves silent operation by the use of sound insulating mounts for the film mechanism and lens, by a new shutter, and new accessories. The camera is further improved by a revolutionary new method of calibrating the light stops on lenses (described by Clark in a separate paper). This makes practical use of photo-electric meters possible. The net result is more ef-

ficient operation and lowered cost of production, the paper reports.

New 50-Pound Portable Unit

The new 50-pound film recording unit, which can be carried from location to location in the baggage trunk of a car, and carried and operated at the scene by one man, was presented in detail by D. Y. Bradshaw, of The March of Time. Requiring that its scenes be shot in offices, coal mines, airplanes, battleships, political meetings and an ever-lengthening list of other newsreel locations, March of Time's sound requirements are higher than those of the newsreels nonetheless, Bradshaw said. The portable sound unit which solves the problem was developed by RCA, and can be set up and in operation in less than 10 minutes.

Protecting Film Against Scratches

A special lacquer is the agent used in Eastman Kodak's new method of protecting motion picture film in use against surface damage, according to R. H. Talbot's discussion last night. The lacquer coating is simply and quickly applied to one or both sides of a 16 or 35-mm film. Slight scratches caused by constant usage are absorbed by the lacquer and never reach the film. When the damage to the lacquer surface requires, the lacquer is washed off and a new coating applied. The film is then as good as new.

New Rating For Light-Speed

A photographer's dream has been realized by the new 20th Century-Fox photoelectric method of rating the light-speed of lenses, Clark told the convention. He said new method was devised after cameramen noticed that when lenses were interchanged during a "shooting," is often necessary, the quality of the picture was far from uniform even though all the lenses were set to the same f/ rating. He said some of these ratings are as much as 100 percent in error when reduced to actual transmitting capacity of the lens.

Remodeling Active In Detroit Sector

(Continued from Page 1)

riously supply companies and contractors.

Cohen Brothers are doing a complete remodeling job on the Hollywood, third largest house in Detroit, with American Seating getting the seating contract, Long Sign Co. the marquee, and Joseph Bowen & Co. the complete decorating.

Brown & Co. have also completed redecorating on the downtown Broadway-Capitol for the United Detroit Circuit.

Long Sign Co. is installing a huge vertical sign and marquee on the Parkside, being opened by Moss Brothers in Detroit, and on the new Orr in Fowlerville, Mich., for J. B. Mellon.

Three local remodeling jobs are being planned by Architect Ted Rogovoy, of Wright & Rogovoy—new front on the Campau in the suburb of Hamtramck for Eddie Pascoe; general remodeling on the New Home for J. B. Krul; and complete renovation on the Oakman, just taken over by Wisper & Wetman Circuit.

Europe to Open Soon

Huge C. Racz, vice-president of the Omnia Amusement Corp., and until recently engaged in theatrical enterprises in Paris, announces that his organization is opening the Europe Theater at 78th St. and First Ave., New York City.

NTS Outfits Temple

Pittsburgh—The National Theater Supply Co. is supplying the entire booth equipment, seats, carpet and fixtures for the new 1,000-seat Temple Theater which Fineman & Shapiro are building in Sheraden, a suburb of this city.

Dipson Belters Lyceum

Bradford, Pa.—The Lyceum Theater, operated by the Dipson Theatrical Enterprises, Inc., is being completely renovated and modernized, including new sound equipment, new seats, fixtures and furnishings. Air-conditioning is also being installed.

Pa. Stand Overhauled

Kittanning, Pa.—The State Theater here, a Dipson Enterprise house, managed by Andy Gibson, is being remodeled and renovated throughout. Complete new Brenkert booth equipment has been purchased from the A. & S. Steinberg Co., Inc.

Harris Improves Booth

Pittsburgh — The Harris Amusement Co. has purchased complete Brenkert booth equipment, including lamps and projectors, for their theater in St. Marys, Pa., from A. & S. Steinberg Co., Inc.

Bird, Jr., Modernizes

Arlington, Vt.—Joseph W. Bird, Jr., is carrying out an extensive modernization program in behalf of his Arlington Theater in this town.

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NTS Branch Active In Baltimore Area

Baltimore—Business upswing is noted here from reports by theaters of their orders placed recently with the local branch of National Theater Supply.

Julius Goodman has put two Simplex Pedestals in his Ideal; H. W. Robertson has installed Peerless Magnarc lamps, G-E Copper Oxide Rectifiers and a Walker screen in his Strand, Covington, Ky.; Bernard Depkin, Jr., a Walker screen in his Rex, Martinsville, Va.; and Guy Planary a pair of new B & L Super Cinephor F-2 lenses in the Star, Richlands, Va.

Morton Thalheimer continues to add equipment to his Arlington Theater, Arlington, Va., via Simplex E-7 mechanisms, magazines, pedestals, Peerless Magnarc lamps, Hertner generator, Goldberg rewind, Neumaed film cabinet, booth table and film measuring machine. Weaver changeovers and floorswitches, Walker screen, Vallen curtain controls and tracks, Newman ticket chopper, Timco ticket register, Sea-luxe poster frames, Simplex Type "A" sound and B & L Super Cinephor lenses.

Baltimore theaters to place recent equipment orders with NTS include James Rydzewski's Aldine; C. W. Hick's Westport; Flaks Bros.' Highland; Durkee's State and Boulevard Theaters; Gaertner's Ritz; and Warners' Stanley.

More than a score of orders for considerable amounts of equipment and supplies have been filled for houses in the Baltimore territory.

Community Center Plan Includes Film Theater

(Continued from Page 1)

construction is expected to start soon, M. S. McCord, general manager of the Malco Realty Corp., announces here.

The structure will contain a modern theater with a seating capacity of 750 persons, three stores 25 ft. in width each and one 40 ft. in width. Malco Theaters, Inc., which operates the Rialto and Princess Theaters in North Little Rock, has leased the building.

The theater will be of stadium-type design and will have a small stage. Interior of the structure will be finished in ornamental plaster and treated for proper acoustics. The projection booth will be installed against the front, behind the logs.

A parkway with trees and shrubbery will be in front of the building. Ample parking space will be provided on the premises. Space at one end of the parkway will be reserved for operation of a service station.

Store fronts will be of plate and structural glass designed to suit the needs of tenants and in keeping with the general design.

Since Short Theater Names Are the Vogue— That's What Wally Johnson's House'll Be

Friend, Neb.—A Friend exhibitor in need was local Wally Johnson. What he needed was a name for his new house here. Through his local newspaper, he initiated a contest, but wouldn't trust the committee to make the selection. So he hid to the State's capital, Lincoln, and enlisted the aid of Barney Oldfield, film columnist of the Sunday Journal and Star. Wally explained that he wanted somebody who knew the film biz, and wouldn't select a name which would eat him out of house and home when the electric bill came in monthly. Oldfield took the cue and suggested a shorty,—"Vogue." That's what it'll be when the house opens a week from today.

Warners Reopen House Planned by Ebersons

(Continued from Page 1)

engineer for the WB theater department, assisted by C. P. O'Toole and D. W. Collins of the New Haven zone maintenance department.

Ideal chairs have been installed with 32 inch space between rows. The 350-seat balcony is semi-stadium type. RCA sound, Super Simplex projectors and Ascherat lamps, have been used, and the air-conditioning system is Automatic Refrigerating Co.

Further Service Deals Are Finalized by Altec

(Continued from Page 1)

Birmingham and Northern Alabama; Hamrick Enterprises, Inc., have signed with Altec to service the Hamrick Theater in Gaffney, S. C.; E. S. Rogers has signed with Altec for the Cheraw Theater, Cheraw, S. C.; and an Altec agreement has been signed for the new 900-seat Charles Theater in Montgomery, Ala.

H. B. Moog negotiated for Altec.

Baroudi House Ready

Phil Baroudi's Happy Hour Theater at North Creek, N. Y., has been thoroughly renovated and new seats, lighting and projection equipment installed. Exterior and marquee have also undergone renovations.

Velas Ready to Go

Bridgeport, O.—Chris Velas, who recently purchased the building which houses the Old Home Theater, will start soon on a comprehensive remodeling program.

Moss Interests Open New House in Detroit

Detroit—Sydney and Irving Moss opened their new 900-seat Parkside Theater this week, with Eddie Jacobson, formerly of the Harmony Theater, as manager.

New house was constructed by the Moss Brothers as their own contractors, with Bennett & Straight as architects. Ernie Forbes supplied Brenkert-RCA projection and sound equipment. Chairs are by American Seating Co., with Bigelow-Sanford carpeting. Building is part of a development unique in style, in that it includes 20 bowling alleys as well as the theater, and a cocktail bar—combining the three principal amusement attractions of the day for the first time in a building especially designed for that purpose.

Building is McLouth air-conditioned, with decoration by Anthony Eugenio. Long Sign Co. erected the sign and marquee, with Jackson Elec. Co. having the electric contract. House is equipped with 100 earphones for the hard-of-hearing.

Cost was \$220,000.

"Aces" Use Flat Light

West Coast Bureau of THE FILM DAILY Hollywood—Members of the stage crew and projection staff of Grauman's Chinese are very enthusiastic over the clarity and brilliance of the new Flat Light type screen installed recently. John Sirigo, president of the Selectroslide Company of America, exclusive distributor for the screen, said, "Now that the two best known theaters in the country—Grauman's Chinese and Radio City Music Hall—have installed our screen we expect others will see the 'light' and follow suit." The Flat Light screens are being sold to slide film, 16 and 35 mm. users, as well as theaters, studios and "soundies."

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Equipment Demand Brisk in Chicago

(Continued from Page 1)

con, Ill.—Irwin seats, Simplex sound, Walker Plastic Molded screen, Simplex projector and lamps; K. Child's Times, Jacksonville, Ill.—same equipment plus Crestwood carpet and Hertner generator; N. Bernstein's State, Elkhart, Ind.—Simplex sound, Walker screen, Simplex projector and lamps, and Crestwood carpet; J. Geertz's Sunset, Davenport, Ia.—Plastic Molded screen and Crestwood Fluorescent carpet; and M. Ewing's Luxe, East Peoria, Ill.—Irwin seats and Crestwood Fluorescent carpet.

Additionally, S. Bennis' Grand, Lincoln, Ill., Simplex sound and projection lamps; E. H. Hahn's Palace, Elmwood, Ill., Plastic Molded screen, Peerless projection lamps and Crestwood fluorescent carpet; C. E. Johnson's Family, Rockford, Ill., Plastic Molded screen; L. Cochevety, South Bend, Ind., Simplex projector; and A. L. Revett's Home, Rantoul, Ill., Walker screen and Simplex projection lamps.

Acme Neon Expands

Chicago—The Acme Neon Accessory Co. has opened two new branches to service the trade, one at St. Louis, Mo., 2629 Locust St., and the other branch at Des Moines, Ia., 612 E. Grand Ave.

Completing Drive-In

Alamo, Tex.—First drive-in theater of upper Rio Grande Valley, under construction here, is expected to open in 60 days.

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SLICES OF SMPE MEET

By RALPH WLK

HOLLYWOOD

HERB GRIFFIN, vice-president of the International Projector Co., New York, has travelled thousands of miles to SMPE gatherings. He was elected executive vice-president of the organization. He is among the members who posed with President Calvin Coolidge for a convention picture at a Washington, D. C. gathering several years ago.

Genial and witty J. E. Crabtree, of Eastman Kodak, after several years as editorial vice-president has dropped those duties and has been succeeded by A. C. Downes of the National Carbon Co.

An interested visitor to the opening day sessions was S. Charles Lee, of Los Angeles, who is one of the busiest theater architects in the country. He is the architect for Fox West Coast and has also designed several theaters for leading independent exhibitors.

On Tuesday, J. E. McAuley of the J. E. McAuley Manufacturing Co., of Chicago, celebrated his fiftieth birthday at the SMPE convention. He is a veteran attendant at the organization's gatherings and has attended the meetings on the East and West Coasts.

Peter Mole and Elmer C. Richardson, of Mole-Richardson, are also enthusiastic members of the organization, and at one time Mole served on the board of governors. Right now he is very interested in the opening of the Palladium, the new dance and dine emporium, on Oct. 31. He is one of the leading stockholders in the venture.

Norman B. Neely has a young army of assistants at his booth at the convention. They include Frank McRae, Tom Bissett, Wayne Proper and Homer Boren. Neely is a manufacturer's representative, specializing in technical equipment. By the way, he will open an office in San Francisco Nov. 1, with Boren in charge. Neely also represents the Cinema Engineering Co., Burbank, nationally, and Art Davis of the Cinema firm is on duty at the Neely exhibit.

W. C. "Bill" Kunzman, of the National Carbon Co., Cleveland, is the perennial convention chairman and spends much time lining up the various details of the gatherings. This year he again corralled Rudy Vallee to entertain at the convention banquet. Last Spring, Bill had Bob Hope and Vallee among the entertainers at the local banquet.

C. N. Batsel and T. C. Sharpe are among the RCA engineers demonstrating equipment at the convention. Batsel, who is a brother of Max C., who was named to a two-year term on the SMPE board of governors, has been with RCA for ten years. His brother is also with the company.

Technical Advances Assure Nearly Perfect Sound in Nubes as Well as De Luxe Houses

West Coast Bureau of THE FILM DAILY

Hollywood—Marked technical advances in motion picture sound recording, insuring more nearly perfect sound reproduction in nubes as in de luxe houses, were described by Dr. E. W. Kellogg, of the RCA Research Laboratories, in a lecture before the SMPE Convention meeting here this week.

Dr. Kellogg described new circuits, filters and other devices which end "ground noise" in movie film reproduction—objectional sound created by dust and other minute foreign particles on the film sound track. Dr. Kellogg pointed out that the new noise reduction system is now in use by March of Time, Pathe News and the Republic studios. "The Eternal Road" was the first film to be recorded on it.

Dr. Kellogg appeared on the program a second time to discuss a new method to utilize synchronous motors in recording and reproducing motion picture sound. He explained a new type of interlocking driving system which produces better sound reproduction with synchronous motors than is now possible with selsyn motors. He pointed out that the system does away with any tendency for music to "wow," or change pitch quickly because of mechanical irregularities.

Studebaker Has Device To Check Projectors

Detroit—G. M. Studebaker, of National Screen Service, here, has adapted the principle of the stroboscope to the checking of vibration, gear operation, and other mechanical movements in the working parts of projectors.

Using a Pee Wee spot light, an old motor and rheostat and odd parts, he constructed a mechanism that allows synchronization of an intermittent light beam focussed upon the part being checked in such a fashion that the part, at whatever speed it is moving, will be made to slow down, stand still, or run in reverse, while actual speed is unaltered. This utilizes the principle of the projector shutter itself.

Charity Wins Support

Detroit—Two brand new Simplex projectors have been given to Variety Club by the Film Building management, to be used for giving shows to shut-ins.

Brooks Builds Another

Detroit—Bernard Brooks, operator of the President Theater, is starting construction on a new theater in the suburb of River Rouge, which has had only one theater for 15 years.

Williston Re-equips

Louisville, Ky.—Dudley Williston's Palace Theater here has been re-equipped with Motiograph projection and Ashkraft lamps, Robin Imperial generator and RCA magic screen.

Switow Gets Mirrophonic

Seymour, Ind.—The Switow Circuit has installed Western Electric Mirrophonic sound in their Majestic Theater here.

Simplex for New Moon

Vincennes, Ind.—The New Moon Theater here, operated by Theodore Charles, has installed New Simplex E-7 Mechanisms and 100 ampere Klieg! spotlight.

Skouras-Altec Renew

Squaras Theater Corp. renewed its agreement with Altec Service Corp. for service covering 58 Skouras theaters in the New York metropolitan area. Bert Sanford negotiated for Altec.

Trio of Okla. Exhibs. Improve Projection

Oklahoma City, Okla. — Homer Jones, operator of the Rialto, Alva, Okla., recently purchased a pair of Simplex Hi lamps for that house from the National Theater Supply Co.

Leonard Jones, operator of the Ritz, Lawton, recently purchased a pair of Simplex Hi lamps, Hertner generators, and Bausch and Lomb lens for that house from National Theater Supply.

A. D. Brawner, operator of the Mission Theater, Hooper, Okla., recently bought a pair of Motiograph lamps for that house.

Many New Signs Up in Chicago

Chicago—Whiteway Sign Service, under management of Tom Flannery reports many sign jobs under consideration, at the present time. The Calo Theater and the Admiral Theater jobs are in work now, while the new Beck Theater, going up in the Loop, will have one of the finest sign jobs in the city, when completed.

Davidson Improves Calo

Chicago—Arthur H. Davidson, who recently took over the Calo Theater on N. Clark St., is modernizing the house, installing a new Whiteway Canopy, new lighting fixtures, 835 Ideal seats and carpets from Mandel Brothers, with a thorough painting job.

Fox to Open Soon

La Junta, Colo.—Fox Intermountain plans to open their new Fox Theater here, seating about 700, about Nov. 14. The new house is on the site of the old Rourke Theater. About \$43,000 was spent, the only thing saved from the old location being the four walls.

Lowstutter Gets Star

Star Junction, Pa.—The Star Theater, which has been closed for a number of years, has been taken over by Lawrence Lowstutter, who also operates the Vox Theater in Greensboro. The Star will be renovated and refurbished before reopening.

Allard to Manage Two

Springdale, Ark. — Clyde Allard, manager of the Concord, announces that work on another film house here will begin soon. Allard will have charge of both houses.

EQUIPMENT FIELD NOTES

SAMMY STEINBERG, sales manager for the A. & S. Steinberg Co., Inc., in the Pittsburgh territory, is mighty "thrustful" over RCA Magic Screens, asserting they're the "best I've seen in my 35 years' experience in the equipment supply business." He declares that he sold 28 of the screen in one week. That's swell sellin', Sammy!

Out in Youngstown, Milt Handburg has acquired the old Hazelton Dome Theater which has been shuttered for a lotta years. He is completely remodeling the house which has never had sound equipment, and plans to open the stand at the New Center Theater early in November.

Silsbee & Smith, those up-and-doin' architects of Elyria, O., have been retained by the Rialto Theater Co. there to remodel the old Rialto. Plans, 'tis said, call for a new front and new equipment. Latter includes air conditioning. Interior and exterior will be re-decorated generally.

As ducks fly South, news flies North, —from Jacksonville, Fla., L. H. Holloway, of Cordele, Ga., has just announced plans for construction of a movie house in Murray Hill, one of Jacksonville's fastest growing suburbs. New house'll be ready for occupancy in about 60 days, and'll seat 700.

That new Glencoe, Ill., Theater has quite a line-up: RCA Phonovision equipment, Kroehler push-back chairs, Boyd & Hansen marquee, Levinson & Son drapes and carpets; C. H. Hoff electrical work; Will Wiseman interior work, and Joe Goldberg theater equipment. Irving M. Karlin is architect.

Lester Rosenfeld, who operates houses in Dunbar and Kenawab, W. Va., is redecorating the latter stand, plus givin' it a nice new marquee.

Anent Kenawab—Jack Gardner (son of Brien Gardner of Paramount, Col. O.), has broken ground for a new theater there.

Lester Pollock, as slick a showman as you'll find in Loew's circuit personnel lineup, is installing a spanking new screen in Loew's Rochester. When the theater kisses the ole screen good-bye, it will be with full satisfaction that it has given its mighty money's-worth. It's been in the house these, Lol, five years.

Louis Rosenbaum, manager, says Muscle Shoals Theater will begin construction immediately on a \$75,000 theater in Sheffield, Ala. House is a 1,000-seater and is scheduled to be ready Feb. 1.

J. Ward Spielman is bringing his Gem at Baldwin, Kansas, up to date with new sound and other items.

The Slotnick Enterprises, headed by Morris Slotnick, are refurbishing two of their N. Y. theaters. The Sodus (formerly the Arcade) and the Strand at Waterville are affected.

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

Intimate in Character
International in Scope
Independent in Thought

VOL. 78, NO. 84

NEW YORK, MONDAY, OCTOBER 28, 1940

TEN CENTS

SAY COURT CAN'T ORDER DECREE CHANGE Rosten Heads Film Section of Defense Com'n

Editorial

Censorship ... perfect indictment

By CHESTER B. BAHN

THE perfect indictment of official censorship of motion pictures in these United States is provided by the Pennsylvania State Board of Censors in what may be described as its "World in Flames" somersault.

The Pennsylvania censors took a look at the Paramount feature a little more than a week ago and promptly advised the distributor that, "In the judgment of the Board, this picture has a tendency to corrupt and debase morals and it is not proper."

The film already has been widely praised by Federal officials, including the Secretaries of War, Navy and Commerce, Senate Majority Leader Alben Barkley, House Speaker Sam Rayburn and others of note in and out of official life. Subsequently, it was as heartily recommended by the President and Wendell Willkie.

PARAMOUNT, as was its right, asked the Board to reconsider, and it did late last week, reportedly when one of the censors found it convenient to turn from campaigning to official duties. The result was a reversal, passing of the feature without a single cut, and issuance of the necessary State seal.

Obviously, the Board realized that it had pulled a prize boner, and that it had no other course of action but to eat crow. That it did, but was that enough?

FROM this corner, it appears that there are a couple of exceedingly interesting and highly pertinent questions left unanswered.

For one: Exactly what footage in "World in Flames" did the Board find "tending to corrupt and debase morals"?

For another: Just what does the Board feel to constitute that which "corrupts and debases morals," for, after all, such phraseology is merely borrowed from the statute?

And for a third: How can footage "debase and corrupt morals" one day and the next, not do so?

Are there any answers?

The recent attitude of the Pennsylvania Board would seem to reflect something quite foreign to those principles enunciated in historic Philadelphia by the founding Fathers.

Former Professor to Work With Producers On Defense Plan Activities

Washington Bureau of THE FILM DAILY
Washington—Appointment of Dr. Leo Rosten as chief of the Motion Picture Section in the Division of Information of the National Defense Commission was reported here at the week-end.

Dr. Rosten, former professor of economics at the University of Chicago, for the last several years has been engaged in a sociological study of the film industry on grants from
(Continued on Page 4)

MacArthur, Christie Head New Company

Bernard J. Steele has formed an independent production company headed by Charles MacArthur and Al Christie who will produce their first picture in Hollywood for a major company. Title of the initial feature is "Fathers of Madelon" by Frank R. Adams. Distribution nego-
(Continued on Page 4)

Foreign Heads to Confer With NBC on L.A. Programs

Heads of the foreign departments of major companies will meet tomorrow with NBC short wave officials in an informal luncheon discussion of Hollywood's participation in
(Continued on Page 7)

ITO of Oregon Against Games Opposes Initiative Legislation Measure

SMPE Com'tee Studies Film's Use in Tele

West Coast Bureau of THE FILM DAILY
Hollywood—The SMPE Television Committee is continuing research into the use of films in television, and the problems of visual fatigue and flicker. Dr. Peter C. Goldmark, CBS chief television engineer and committee chairman, told the SMPE
(Continued on Page 7)

Scent British Bomb In Hamburg Pix Fire

Advices have been received by the 20th-Fox foreign department from a European branch that all films stored by the company in a warehouse in Hamburg, Germany, had been destroyed by a fire of "mysterious origin" in September. Information was from an official German source. Home office speculated Friday as to whether the mysterious fire, which the German source said was still being investigated by the Nazi police, couldn't have been started by a British aerial bomb.

Ohio ITO to Hear Myers on Consent

Columbus, O.—Annual convention of the ITO of Ohio gets under way unofficially tomorrow night with a meeting at the Deshler Wallick Hotel.

Abram F. Myers, Allied general counsel, is slated to address the delegates on the probable effects of the consent decree if it is approved. Sidney Samuelson of the Philadelphia unit will report on progress
(Continued on Page 7)

Best Biz in Four Years In Prospect, Says Kent

West Coast Bureau of THE FILM DAILY
Hollywood — Twentieth Century-Fox looks forward to "a measure of business success commensurate with that of no other period in the last four years," says Sidney R. Kent,
(Continued on Page 7)

Can Only Affirm or Disaffirm, Gov't Officials Hold; Means End of Exhib. Hopes

Virtually the last hope for modification, at exhibitor behest, of the proposed consent decree ending the New York equity suit against the "Big Five" did a fadeout at the week-end.

Government officials, taking cognizance of the expressed exhibitor dissatisfaction and the avowed intention of exhib. organizations and individual showmen to assail certain provisions of the decree when it comes before Federal Judge Henry W. Goddard, probably tomorrow,
(Continued on Page 6)

Myers Sees Brandt Views Like Allied's

A written "pat on the back" was extended to Harry Brandt, ITOA president, by Abram F. Myers, Allied general counsel, for the former's declaration of position on the consent decree.

(Brandt's complete statement was printed in THE FILM DAILY issue of Oct. 18).

Declaring that Brandt "came
(Continued on Page 6)

Pa. Superior Court Rules Bank Night Illegal

Beaver, Pa.—Superior Court has ruled theater Bank Night illegal. Decision is described by Robert E. McCreary, district attorney, as "precedent setting."
The high tribunal advised Mc-
(Continued from Page 6)

"U" Moves to Strike Freiday Allegations

Application to strike out allegations of the complaint of William Freiday, company director, and plaintiff in a suit against Universal was filed Friday by Joseph Proskauer, attorney for "U." Universal claims that the allegations are irrelevant and will prejudice the trial of the suit which charges mismanagement and asks for an accounting.



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JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(QUOTATIONS OF FRIDAY, OCT. 25)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seals.	5	5	5	.....
Col. Pict. vtc. (2½%)	5	5	5	.....
Columbia Pict. pfd.	8½	8½	8½	.....
Con. Fm. Ind.	8½	8½	8½	.....
Con. Fm. Ind. pfd.	8½	8½	8½	.....
East. Kodak.	133	132	132½	.....
do pfd.	11½	11½	11½	.....
Gen. Th. Eq.	27	26½	27	.....
Low's, Inc.	105½	105½	105½	.....
do pfd.	92	92	92	.....
Paramount	8½	8½	8½	.....
Para. 1st pfd.	92	92	92	.....
Para. 2nd pfd.	10½	10½	10½	.....
RKO Film	10½	10½	10½	.....
Pathé	2½	2½	2½	.....
20th Century-Fox	5½	5½	5½	.....
20th Century-Fox pfd.	82½	82½	82½	.....
Univ. Pict. pfd.	82½	82½	82½	.....
Warner Bros.	2½	2½	2½	.....

NEW YORK BOND MARKET

NEW YORK		BOND MARKET			
Keith B. f. ref.	64½				
Low's deb.	3½/4				
Para. B. way	35½				
Para. Picts.	65½				
Para. Picts. cv.	3½/4	92	92	92	+ ¼
Warner Bros. deb.	65½				
NEW YORK		CURB MARKET			
Monogram Picts.		½	½	½	
Sonotone Corp.					
Technicolor		9¼	9¼	9¼	- ½
Trans-Lux					
Universal Corp. vtc.					
Universal Picts.					

Para. Pays \$100,000 for Hemingway's New Novel

Paramount has closed a deal for the screen rights to Ernest Hemingway's novel, "For Whom the Bells Toll." Purchase price is said to have been \$100,000 outright, plus 10 cents for each copy of the book sold up to 500,000 copies.

This means that when 500,000 copies have been sold, Hemingway will receive a total of \$150,000 from Paramount. One hundred thousand copies already have been purchased.

The Broadway Parade

Picture and Distributor	Theater
The Great Dictator (United Artists-Chaplin)—3rd week (d)	Capitol
The Long Voyage Home (United Artists-Wanger)—3rd week	Rivoli
Arise, My Love (Paramount Pictures)—2nd week	Paramount
Knute Rockne—All American (Warner Bros. Pictures)—2nd week	Strand
The Fight for Life (Columbia Pictures)—3rd week	Bryant
Time in the Sun (World Pictures)—5th week	5th Ave. Playhouse
Down Argentine Way (Twentieth Century-Fox)—2nd week	Roxy
World in Flames (Paramount Pictures)	Criterion
The Westerner (United Artists-Goldwyn)	Music Hall
Meet the Wild Cat (Universal Pictures)	Rialto
East of the River (Warner Bros. Pictures)	Globe
Colorado (Republic Pictures) (a)	Central
Heritage (Republic Pictures) (a)	Central
No Time for Comedy (Warner Bros. Pictures) (a-b)	Palace
Gay Caballero (Twentieth Century-Fox) (a)	Palace
The Fugitive (Universal Pictures)	Little Carnegie

TWO-A-DAY RUN

The Great Dictator (United Artists-Chaplin)—3rd week..... Astor

FOREIGN LANGUAGE FEATURES

The Baker's Wife (The Baker's Wife Co.)—34th week	World
Midsummer Night's Dream (Warner Bros. Pictures) (e)	55th St. Playhouse
Heritage (French Films Import)	Belmont
Terra di Nessuno (Esperia Films)	Cinecitta

FUTURE OPENINGS

A Dispatch from Reuter's (Warner Bros. Pictures)	Strand
Fantasia (Walt Disney)—Nov. 13 (f)	Broadway
The Mark of Zorro (Twentieth Century-Fox)—Nov. 2	Roxy
Northwest Mounted Police (Paramount Pictures-DeMille)—Nov. 6	Paramount
Glamour for Sale (Columbia Pictures) (c)	Bryant
From Mayerling to Sarajevo (Leo Films)—Oct. 30	Little Carnegie
Mexican Spitfire Out West (RKO Radio Pictures)—Oct. 29	Rialto
Haunted Honeycomb (Metro-Goldwyn-Mayer Pictures) (c)	Criterion
Tugboat Annie Sails Again (Warner Bros. Pictures)—Nov. 11	Strand
Christmas in July (Paramount Pictures) (c)	Rivoli
Escape (Metro-Goldwyn-Mayer Pictures) (c)	Music Hall
The Face at the Window (Arthur Ziehm, Inc.)—Oct. 30 (a)	Central
The Torso Murder Mystery (Arthur Ziehm, Inc.)—Oct. 30 (a)	Central
City for Conquest (Warner Bros. Pictures)—Oct. 31 (a-b)	Palace
Slightly Tempted (Universal Pictures)—Oct. 31 (a)	Palace
Two Women (Zeml)—Nov. 5	55th St. Playhouse
Mrs. Anderson's Carl (Scandinavian Talking Pictures)—Nov. 1 (a)	48th St. Theater
Larsson's Second Marriage (Scandinavian Talking Pictures)—Nov. 1 (a)	48th St. Theater

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous, unreserved. (e) Re-issue. (f) Two-a-day run.

Dave Miller Testimonial In Cleveland on Nov. 20

Cleveland—Dave Miller, Universal district manager, who is celebrating his 20th anniversary with Universal, will be guest of honor at a testimonial dinner to be held Nov. 20 at the Hollenden Hotel in Cleveland. Joe Kaufmann, Universal Cleveland branch manager, is general chairman in charge of arrangements. All of Miller's district will participate in the celebration. This includes in addition to Cleveland, Buffalo, Albany, Cincinnati and Pittsburgh. An attendance of 500 is expected.

Decentralize 20th-Fox Headquarters In London

Head offices of 20th-Fox in London have been decentralized due to continuous bombings and distribution is now being handled territorially by the branch offices, it was learned Friday.

Ben Piazza Quits RKO

West Coast Bureau of THE FILM DAILY Hollywood—Ben Piazza in charge of talent at RKO has resigned and plans to become an independent producer. It is believed he will release through RKO.

Bartlestein Bros. Buy Circuit

Chicago — The Brechta Theater Circuit was sold at the week-end to the Bartlestein Bros. Circuit.

20th-Fox Execs. to Cincy For Premiere of "Zorro"

With all plans completed for the dual premiere of 20th-Fox' "The Mark Of Zorro" Friday in Cincinnati at the Albee and Shubert Theaters, a large delegation of home office executives and 21 persons on the Kate Smith show who will participate in the radio preview of the picture and the cast of the Vox Pop radio show will entrain tomorrow night for that city. Herman Wobber, distribution head, and Charles E. McCarthy, ad. and pub. chieftain, will head the home office group. Three-day celebration of the event will start Wednesday.

20th-Fox Asks \$210,000 Assessment Reduction

Suit was filed Friday in N. Y. Supreme Court by 20th Century-Fox to compel the New York City Tax Commission to grant a reduction of \$210,000 on assessments of the 20th-Fox office buildings and adjacent property. The property is assessed for 1040-41 at \$1,145,000.

Towne-Baker to Seek New Outlet

West Coast Bureau of THE FILM DAILY Hollywood—After completing one more picture, "How to Meet a Man," for RKO, Towne and Baker will make new distributing arrangements. It is believed United Artists will be their outlet.

COMING and GOING

HARRY M. WARNER stopped in Chicago at the week-end en route to Hollywood.

CECIL B. DeMILLE arrived here Saturday on the Century.

GARY COOPER and his wife are here for a visit.

MADELINE CARROLL arrives here today.

PHIL REISMAN arrived Saturday from South America on the Argentine.

WILLIAM GRADY, Metro casting director, is here from the Coast to look over candidates for roles in several forthcoming Metro productions.

MARJORIE RAMBEAU is due from the Coast next week.

J. P. BURKE, 20th-Fox traveling auditor, will be in New Haven this week; T. J. CLEARY will be in Seattle; J. O. Leary in San Francisco; WILLIAM COHEN in Memphis; G. F. COOPER in Cincinnati; RICHARD HILBRETH in St. Louis; L. LICHTENSTEIN in Indianapolis; M. SCHMALZ-BACH in Washington; and A. C. WILSON in Minneapolis.

MICHELE MORGAN, French actress, arrived here Saturday from Europe on the Exochorda to report to RKO.

HARRY M. KALMINE, of Warners' Pittsburgh branch, is at the Warwick.

MIRIAM HOPKINS is expected here this week from the Coast.

JOSEPH P. KENNEDY, Ambassador to Great Britain, was due here yesterday by Clipper after being delayed for several days by bad weather.

FRED ASTAIRE arrives here this week from Hollywood.

NUNNALLY JOHNSON, 20th-Fox associate producer and writer, was scheduled to fly in from the Coast over the week-end.

ROBERT MOCHRIE, RKO Eastern and Southern sales manager, returned at the week-end from a Southern trip.

JACK KENNEDY, a representative for RKO in Europe, is due in New York this week.

HARRY CAREY will come East upon completing his next RKO tour to appear in a Broadway play.

RAY BOLGER leaves on Friday for the Coast to confer with Herbert Wilcox on his role in "Sunny."

NATHAN LAMPERT, owner of the Moodus, East Hampton, and Colchester, Conn. Theaters, is in from Miami Beach for three weeks.

NORMAN H. MORAY leaves for the Coast in early November.

STANLEY HAND, Altac staff representative, has returned to New York from two weeks' business trip in the Midwest.

Mayo Signs 20th-Fox Pact

West Coast Bureau of THE FILM DAILY Hollywood — Twentieth Century-Fox has signed Archie Mayo to a two-year contract. His first picture will be "The Great American Broadcast."



From THE FILM DAILY to

Sam E. Morris
John Boles
Rollin C. Hamilton



TERRIFIC

is the word for

"NORTH WEST MOUNTED POLICE"

Tremendous opening at Chicago and State and Lake Theatres in Chicago!

Biggest opening in seven years at Providence Strand! Breaking records

in Toronto, Regina, Winnipeg, Calgary, Edmonton, Saskatoon

**Watch for the amazing results every
day this week on page two of this paper**



GARY COOPER • MADELEINE CARROLL in Cecil B. DeMille's
"NORTH WEST MOUNTED POLICE"

Paulette Goddard • Preston Foster • Robert Preston • Akim Tamiroff • Lynne Overman
George Bancroft • Lon Chaney, Jr. • Walter Hampden - Produced and Directed by Cecil B. DeMille

Original Screen Play by Alan Le May, Jesse Lasky, Jr. and C. Gardner Sullivan. A Paramount Picture

IN TECHNICOLOR!

MacArthur, Christie Head New Company

(Continued from Page 1)

tiations are in progress. MacArthur will write the screen treatment and co-direct with Christie.

Warren Murray will be in charge of production, with John Graham as assistant to the producers. Walter Brooks will head publicity.

Gloria Jean Starts P.A. Tour in Chi. Tomorrow

West Coast Bureau of THE FILM DAILY Hollywood—Gloria Jean left Hollywood yesterday on a p.a. tour in connection with the Joe Pasternak production, "A Little Bit of Heaven" in which she stars.

She will arrive in Chicago tomorrow, and on Wednesday night she will participate in the "Quiz Kids" radio program, originating in the studios of Station WMAQ, broadcast over NBC Blue Network.

The young star will be in Buffalo Thursday and will make a p.a. at the Lafayette Theater in the evening. Friday morning the motion picture critics of the Boston press will breakfast with Gloria in the Boston railroad station, after which she will proceed to Providence, R. I., for a three-day appearance at the Fay Theater there.

On the trip with Gloria are her mother, her school-teacher, one of her three sisters and David Lipton, Universal's Hollywood publicity representative.

50 to Speak for Daylight Saving Drive in Baltimore

Baltimore—A Citizen's Committee for Daylight Saving Time has announced here that it has 50 speakers available for the new time campaign. A petition consisting of 10,000 names was presented to Mayor Howard W. Jackson last month, so the measure will appear on the ballots for voting in November.

In 1930, when the electorate last passed on the daylight saving question, it was defeated 113,922 to 71,435.

RKO Closes 2 Southern Deals

Ned E. Depinet of RKO has announced the closing of deals for 1940-41 product with two important southern circuits, the Paramount Enterprises of Miami and the M. A. Lightman Circuit of Memphis.

Pare Lorentz Plans Negro Story Feature

Pare Lorentz, former head of the U. S. Film Service, is planning to produce a feature about John Henry with a cast largely recruited among Negro talent. Concert "names" would be included. If plan goes through, it will be made next Spring on location along the Mississippi. Financing arrangements are under discussion. Lorentz feels that feature would be suitable for road-showing.



• • • FOR some time now.....(and happily).....there has been showing up in Hollywood's studios.....a trend which deserves spotlighting.....We mean that good horse sense.....which dictates that the motion picture should no longer be permitted.....to offend the sensibilities of our good neighbor nations.....of Central and South America.....The constructive trend.....we believe.....springs not from commercial expediency.....nearly as much as from a real understanding.....and progressively greater respect.....'twixt the peoples of our mutual hemisphere.....Nor do we hold.....that this rapprochement is a product of Mars stalking the earth.....Crisis, it is patent, has accelerated the hemisphere comradeship.....but it didn't hatch and mother it.....

• • • CINEMATIC good-will in the Americas today.....isn't an accident.....It is an excellent by-product of the film industry itself.....plus some genuine work which has been put in.....by men like MPPDA's Frederick L. Herron.....and the choice by film company officials.....of men whose natural gifts (not the least of which are tact and good judgment).....to represent their organizations in the Latin-American marts.....These foreign managers and their lieutenants.....comprise no mere selling and management group.....but, on top of that,—diplomats.....Since the renaissance of horse sense commenced to be felt.....there has been powerful little left.....of the nauseating "gringo-greaser" stuff.....which unfortunately brought to light in photoplays of yore.....a host of characterizations.....giving the impression that anyone with a sombrero.....would hook cattle and horse-flesh at the drop of any kind of hat.....

• • • EVERY day sees ourselves and our good neighbors.....exercising that caution which preserves and consolidates friendship.....For example, on our side of the ledger.....is an excellent current example.....furnished by Rouben Mamoulian.....In re-making the silent-day classic, "The Mark Of Zorro".....Mister Mamoulian, to preclude even any remote possibility.....of offending our good neighbors to the South.....via "pigeon" linguistics or any other element.....engaged the Mexican Vice Consul as technical advisor on the opus.....Because so many S. A. folks don't savvy pure Castilian.....the film's titles will be made in six different forms.....of Spanish and Brazilian Portuguese.....

• • • WELL, we discovered who 'twas.....that gave birth to that marvelously clever Kay Kyser direct-by-mail tidbit (anent his "You'll Find Out").....Gent is Leon Bamberger.....solon of RKO Radio's sales promotion dept.....So, to him goes our coveted award.....—the famous Order of Applause (with two palms).....and the same decoration also is herewith handed to Lynne Overman.....for his magnificent Scot in "North West Mounted Police".....It's utterly different from the typical Overman part.....and stands out as a veritable gem of a characterization.....

• • • SOCIAL Side:.....A combine hurled a cocktail pageant at the Stork Club on Friday afternoon.....Sherman Billingsley, Tom (Loew's State) Rogers, Ilona Massey, Binney Barnes, Brenda Joyce, Sabu, Louella Parsons.....Top-notch shindig at which the guests even outnumbered the hostess!.....Saturday night found more'n 500 guests and friends and industry notables.....at the first Annual Banquet and Ball of Cinema Lodge, B'Nai B'rith.....Flocks of fun and flocks of stellar performers in the big show.....There ought to be an encore long before a year from now.....Take a bow, Al Schwalberg, et al.....

Rosten Heads Film Section of Defense

(Continued from Page 1)

both the Carnegie and Rockefeller Foundations. It is to be published in early Spring in three volumes.

Dr. Rosten will headquarter Hollywood in his new post.

According to Robert Horton, head of the Commission's Information service, Dr. Rosten's duties are to co-operate with the industry and assist producers and studios on the Coast in the production of defense pictures, or in any other films that might tie in with defense activities.

Rosten will also make suggestions to studios for picture material that will utilize defense activities, Horton said. Much good material in Washington is being overlooked of necessity by Hollywood, Horton said, and Rosten will be on hand to bring such material to their attention. His Hollywood activity will be strictly advisable.

Horton said Rosten was working under the Press Section directly and was his representative on the Coast. He spent several months here familiarizing himself with defense work before going to Hollywood.

Heywood-Wakefield Net Reported at \$178,604

Heywood-Wakefield Company and subsidiary condensed consolidated balance sheet as of Sept. 30, shows net earnings for the nine months of \$178,604, after provisions for all charges, including federal income taxes and conversion of Canadian earnings at the current rate of exchange. This compares with a net loss of \$138,402 for the nine months ended September 30, 1939.

Sales billed for the nine months were reported 12 per cent in excess of the same period a year ago, with incoming biz in all lines continuing at a favorable rate. Bank loans were further reduced in the third quarter, with the company's bank debt now standing at \$150,000.

San Antonio Drive-In Starts

San Antonio—San Antonio's first drive-in theater opened on Fredericksburg road at the week-end with Hal Norfleet as manager. Capacity is 484 cars.

30 Min. Hollywood Air Show for F.D.R.

West Coast Bur., THE FILM DAILY

Hollywood—Under auspices of Democratic National Committee, CBS will carry a half-hour program, "Hollywood's Salute to the President" Thursday, 10:30-11 p.m., EST. Show calls for music, skits and brief talks. Appearing will be Walter Huston, Henry Fonda, Groucho Marx, Hugh Herbert, Dorothy Lamour, Sally Eilers, Andy Devine, John Ford and others. New Robbins and Ranger Roosevelt song will be heard for the first time. Broadcast will originate in Station KNX. Al Newman will handle the musical end.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"The Gay Caballero"

with Cesar Romero, Sheila Ryan, Robert Sterling, Chris-Pin Martin
20th-Fox 57 Mins.

STRONGER THAN AVERAGE WESTERN, THIS ONE IS OKAY EXCEPT FOR SNOOTIER STANDS.

Fans who fancy prairie pix in particular will like this well-rounded meller with Cesar Romero in the role of the redoubtable Cisco Kid. Footage is above average in its ability to entertain, and its Latin flavor is strong and much more authentic than most pictures of its type. Romero talks and acts as though he belonged in the part, which he decidedly does. This is in sharp contrast to most such interpreted roles where lines are generally recited in a pseudo Latin accent.

The story,—an original by Walter Bullock and Albert Duffy,—is close-knit and has its barbed moments of excitement, sufficiently frequent to give the patrons their money's worth of thrills. Best of all, the yarn appeals to reason in that Romero is portrayed as a bandit (of the Robin Hood genus), doesn't win the hand of Sheila Ryan at the finale. Score one up for sense in script. Romero as the Cisco Kid helps Montague Shaw and his daughter,—Sheila Ryan,—when the latter arrived to purchase a tract from Janet Beecher, whose land holdings cover some two counties.

She and Edmund MacDonald are the heavies of the proceedings who try to double-cross the buyers. One of the less logical sequences, put there to provide a thrill, is Romero's duel with MacDonald, even though the former is handicapped by wearing handcuffs. Otto Brower directs efficiently. Cast is well chosen. "The Gay Caballero" isn't a big sagebrush saga, but has enough on the ball to play all but the snooty situations.

CAST: Cesar Romero, Sheila Ryan, Robert Sterling, Chris-Pin Martin, Janet Beecher, Edmund MacDonald, Jacqueline Dalya, Montague Shaw, Hooper Atchley.

CREDITS: Director, Otto Brower; Associate producers, Walter Morosco, Ralph Dietrich; Screenplay, Albert Duffy, John Larkin; Original story, Walter Bullock, Albert Duffy; Based on Character "The Cisco Kid" of O. Henry; Photography, Edward Cronjager; Art Direction, Richard Day, Chester Gore; Film Editor, Harry Reynolds; Set Decorations, Thomas Little; Costumes, Herschel; Sound, Arthur von Kirsch, Harry M. Leonard; Musical Direction, Emil Newman.

DIRECTION, Efficient. PHOTOGRAPHY, Okay.

Tele Call Letters for B & K

Chicago—B & K now have two tele call letters. First W9XBK is for the State Lake plant, and the other W9XBP is for the relay station.

"Leopard Man" Opens In Chi.

"The Leopard Men Of Africa" opened Saturday at the Studio Theater, Chicago. Dr. Paul Hoeffler, the explorer-producer, is making a p.a.

"Arizona Frontier"

with Tex Ritter, Slim Andrews, Frank La Rue
Monogram 60 Mins.

HARD-RIDING, EXCITING WESTERN GIVES RITTER GLOVE-FITTING ROLE.

Here is a hard-riding, exciting Western that should please Tex Ritter fans. It has been given excellent production values by Edward Finney, while Al Herman's direction is effective and maintains the suspense nicely. Marcel LePicard's photography is exceptionally good, providing some unusual eye-filling shots. Robert Emmet concocted an interesting screenplay.

Ritter is his usual appealing self, this time enacting the role of a Government agent, believed to be an Indian. In reality, he is white, but was raised from boyhood by Jim Thorpe, who was a close friend of his father. Slim Andrews provides most of the comedy as Ritter's companion. Evelyn Finley is attractive as the heroine and an excellent rider. Frank La Rue, Tristram Coffin, Richard Cramer, Gene Alsace, Hal Price and Jim Pierce are among the principals.

Cramer and his men raid Hal Price's freight lines and manage to place suspicion on Indians. Ritter investigates and is convinced white men are the raiders. Coffin, a lieutenant, under La Rue, captain in command of an Army post, accuses Ritter of leading Indians in the raids. Cramer's men kidnap Evelyn Finley, Price's daughter, but Ritter rescues her and also thwarts the gang's attempt to rob the freight line again. A fight ensues, and Ritter, aided by the Indians, led by Thorpe, and soldiers, brings the culprits to justice. Ritter also proves that Coffin worked in conjunction with Cramer.

CAST: Tex Ritter, Slim Andrews, Frank La Rue, Tristram Coffin, Richard Cramer, Gene Alsace, Jim Pierce, Jim Thorpe, Hal Price, Evelyn Finley and Art Wilcox and his Arizona Rangers.

CREDITS: Producer, Edward Finney; Director, Al Herman; Screenplay, Robert Emmet; Cameraman, Marcel A. LePicard; Music by Art Wilcox and His Arizona Rangers; Sound, Glen Glenn.

DIRECTION, Effective. PHOTOGRAPHY, Very Good.

Goldsmith Has Scheme For Small Tele Tubes

Dr. Alfred N. Goldsmith has patented an invention which, it is claimed may revolutionize tele by stimulating mass production of cheap and small cathode ray tubes which scan only a small section of a large screen.

Dr. Goldsmith says these tubes may be made almost as cheaply as electric light bulbs, thus lowering costs by doing away with the expensive of large cathode ray tubes.

In "Father and Son" Re-make

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. has cast John Littel, Frieda Inescourt and Billy Dawson for its re-make of "Father and Son." Studio has assigned Norman Reilly Raine to prepare the scenario for "Gambling Lady," by Doris Malloy.

"Meet the Wildcat"

with Ralph Bellamy, Margaret Lindsay, Joseph Schildkraut
Universal 65 Mins.

CROOK MELLER WITH LOTS OF COMEDY IS PUT OVER BY AN ENGAGING IF "NAME"-LESS CAST.

Designed as a program offering, this release hits the bulls-eye. The story is ably contrived and well-paced, the cast is engaging, and there is sufficient mystery and suspense to give the picture that extra something audiences like. Audiences generally should give the picture a good reception. It has a number of exploitation possibilities although the cast lacks any big "names."

Ralph Bellamy, Margaret Lindsay and Joseph Schildkraut head the cast efficiently and amiably. Jerome Cowan, Frank Puglia, Allen Jenkins and Robert O. Davis lend effective support. Arthur Lubin directed from an original screenplay by Alex Gottlieb.

Mexico City is in the throes of a crime wave in the person of a clever thief who leaves a card at the scene of his crimes marked "the wildcat" when Miss Lindsay, photographer for an American magazine, arrives in town. Miss Lindsay thinks she has identified the criminal in the person of Ralph Bellamy after a painting is stolen from an art gallery. Unknown to anybody but the police, Bellamy is a New York detective.

A smart gag is worked out by Bellamy and Puglia, the police chief, so that he makes an escape from the jail and gets in with the gang, learning that Schildkraut, a prominent art dealer, is the criminal they are looking for. Everything is straightened out and Schildkraut is caught in a fast-moving climax.

CAST: Ralph Bellamy, Margaret Lindsay, Joseph Schildkraut, Frank Puglia, Jerome Cowan, Allen Jenkins, Robert O. Davis.

CREDITS: Associate producer, Joseph G. Sanford; Director, Arthur Lubin; Original screenplay, Alex Gottlieb; Cameraman, Stanley Cortez; Editor, A. Hilton.

DIRECTION, Able. PHOTOGRAPHY, Good.

Universal Casts Film

West Coast Bureau of THE FILM DAILY

Hollywood—Universal has assigned Helen Parrish, Leon Errol, Eddie Quillen and Charles Lang to the leads in "Where Did You Get That Girl."

Lincoln G. Dickey Dies

Lincoln G. Dickey, 54, general manager of Billy Rose's Aquacade at the World's Fair and other Rose enterprises, died Friday at his apartment, 400 East 52nd St., following a heart attack.

20-Fox Buys 'Replenish the Earth'

West Coast Bureau of THE FILM DAILY

Hollywood—Twentieth Century-Fox has bought Stephen Longstreet's Wall Street novel, "Replenish the Earth," for Spring production. Frank S. Nugent will prepare the scenario.

"Slightly Tempted"

with Hugh Herbert, Peggy Moran, Johnny Downs
Universal 60 Mins.

FAIR FARCE COMEDY IS ESSENTIALLY FOR HUGH HERBERT'S FOLLOWING.

This one, a farce comedy, is essentially for the dyed-in-the-wool Hugh Herbert fans, others are likely to decide that there's just a bit too much of the comic.

Herbert is supported by Peggy Moran, who is a decorative eye-fall, Johnny Downs, Gertrude Michael, George E. Stone, Elizabeth Risdon and Robert Emmett Keane. Lew Landers directed, extracting all the laughs that were to be had from the script written by Arthur T. Horman.

Herbert, a confidence man, goes to a town where his daughter, Miss Moran, is living when he is released from jail. He is introduced as a South American explorer and lectures on the subject at the town hall. Downs, Miss Moran's fiancé, needs money to finance a toy train factory which he plans to operate in opposition to the factory run by Miss Risdon, the town's oldest inhabitant, financial power and social arbiter. Complications ensue when some old acquaintances of Herbert's drop in to grab a share of the money they think he is promoting for himself, but Herbert outwits them and squares everything satisfactorily. Put it down as a fair job.

CAST: Hugh Herbert, Peggy Moran, Johnny Downs, Gertrude Michael, George E. Stone, Elizabeth Risdon, Robert Emmett Keane, Harry C. Bradley, Harry Holman, Walter Soderling, William Newell.

CREDITS: Associate producer, Kenneth Goldsmith; Director, Lew Landers; Original screenplay, Arthur T. Horman; Cameraman, Charles Van Enger.

DIRECTION, Good. PHOTOGRAPHY, Good.

Universal Sets Release For Remainder of Year

Universal has set release dates to Jan. 1. Going out in November will be: "In Nobody's Sweetheart Now" and "The Devil's Pipeline," both on the first; "Fireman, Save My Child," 8; "Caribbean Holiday," 15; "Meet the Wildcat," 22; and "The Bank Dick," 29.

December will bring "Margie," 6; "Invisible Woman," 13; "Dark Streets of Cairo," 20; and "Trail of the Vagabonds," 27.

All Reserved for "Dictator"

Chicago — B & K is reserving all seats for the local premiere of "The Great Dictator" at both the Roosevelt and Apollo Theaters on Oct. 31.

Joe Rosenfield Promoted

Portland, Ore.—Joe Rosenfield has been appointed city supervisor of the Sterling Theaters, Seattle. He was formerly city manager at Spokane for Evergreen-State.

Say Court Can't Order Decree Change

(Continued from Page 1)

pointed out that the Court's power in the matter was sharply restricted.

Judge Goddard, it was stated, can either affirm or disaffirm the decree as it is presented to him. He cannot make or compel the making of changes. He may suggest them to the Government and the defendants, if he sees fit to do so, but that is all. It was observed that neither the majors nor the Government, having reached an agreement, would be likely to consider modifications, thus reopening the long-drawn-out negotiations.

Approval of the decree by both Attorney General Robert Jackson and Assistant Attorney General Thurman W. Arnold is accepted as a mere formality. Arnold at least studied the decree over the week-end, according to word from Washington, and it was said that probably Jackson did likewise.

In the latter event, it is likely that the decree actually will be presented to Judge Goddard tomorrow. If not, of course, another short adjournment is in prospect.

Conn. MPTO to Get Arnold Views on Consent Decree

New Haven—Connecticut MPTO will meet today at Ceriani's Caf. Mellone, with Irving C. Jacobs, Jr., vice-president, in the chair. Herman M. Levy, executive secretary, will report on the present status of the consent decree, and on the views expressed by Thurman Arnold, Assistant Attorney General, in an interview.

The executive secretary in pointing out the postponements in negotiations, hopes "that some of the time and effort is being spent to substitute new provisions in the decree for some of those, more importantly the block-of-five one, that have been disturbing exhibitors the country over." The executive secretary points out that Connecticut MPTO has already voiced its opposition to the decree in a letter to Arnold.

20th-Fox Starts 6 on Nov. 11

West Coast Bureau of THE FILM DAILY Hollywood—Plans are being completed on the 20th-Fox lot to send six specials before the cameras on Nov. 11. Production on the lot will reach its top pace for the year when the cameras roll on that date.

3 Pa. Cities Seeking Premiere

Philadelphia, Pittsburgh and Allentown are seeking the privilege of showing the world premiere of Hal Roach's "Broadway Limited."

New Shea House Ready

New Philadelphia, O.—The new Quaker Theater here (Shea) will open Friday, Nov. 1. Manager William Gillam announces. Policy will be single feature, first-run, for the time being.

THE WEEK IN REVIEW

Majors Accept Decree—U. K. Remittance

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: Long-drawn-out equity suit appeared nearing an end of one phase with the five majors accepting decree's provisions, but with the Gov't ready to file amended suit against the "Little Three" . . . Exhib. organizations are up in arms against the decree—even Allied having instructed Abram F. Myers, its general counsel, to intervene in court if possible, finally adopting stand similar to that long held by the MPTOA and the ITOA . . . The five consenting majors will parley soon on expected effects of the decree.

SMPE CONVENTION: SMPE at its annual convention at the West Coast awarded its Progress Medal for the year to Walt Disney for developing the film cartoon to its present high level . . . Emery A. Huse of Eastman Kodak, was elected SMPE's new prexy, succeeding E. A. Willford of National Carbon . . . Development of a "cold" sound stage, at sub-freezing temperature where real snow may replace artificial, was announced at the engineers' gathering.

THIS AND THAT: Paramount won its battle against the Pennsylvania censors who first banned the newsreel feature, "The World In Flames," but reconsidered upon viewing the film a second time . . . W. Ray Johnston branded as false published report that Monogram was going out of production and would act as distributing agent for out-

side product only. Mono., he said, would finance 90 per cent of its releases . . . Robert Schless was named head of Warner Bros. foreign department . . . Maurice A. Bergman resigned as head of Columbia's ad. and publicity department, to become advertising manager for 20th-Fox . . . Admission tax receipts for September reached \$5,851,655, a jump of \$1,444,557 over August, and of \$3,999,389 over September 1939 . . . Chaplin's "Great Dictator," captured 208 playdates through deal with Loew's and FWC . . . Martin Smith of Ohio is expected to succeed Col. A. H. Cole as Allied's prexy . . . Maj. L. E. Thompson reported that 9,000 theaters would co-op. in the annual Red Cross drive . . . Equipment dealers formed a national organization to be known as Theater Equipment Dealers Protective Ass'n.

FOREIGN

ENGLAND: British authorities were reported at mid-week as increasing offer of remittance money to be sent to U. S. distributors, for the next year. Later report said that Ambassador Joseph P. Kennedy was bringing back an offer of 100 per cent remittance for first \$8,000,000 and 50 per cent of the second \$8,000,000, with latter figure not expected to be reached.

FRANCE: New law was seen reorganizing the entire motion picture industry in France. Law would severely restrict film activities of Jews.

Paula Seligman Wins Para.'s Idea Contest

Paula Seligman of the artists' booking bureau won the grand award in Paramount's production idea contest for the New York area. She was presented with \$100 at the annual Paramount Pep Club party at the Hotel Astor Friday night. Miss Seligman also won first prize in the home office employees game and was presented with an additional \$50.

Charles Brouda of the legal department took second award in the home office game and was presented with \$25. There were 60 other prizes of \$5 each.

In the Paramount Theater employees division, Jack Biensstock won first prize of \$50, while Joseph Kaplan won second place with \$25. There were 10 other awards of \$5 each.

In the Netco Theaters division, Mildred Davis of the State Theater, Poughkeepsie, was awarded first prize of \$50, and Toni De Felice, of the Bardavan, Poughkeepsie, was given \$25 as second place winner. Ten others received \$5 each.

Approximately 700 persons attended the dinner, with about 500 others attending the dance.

FHA Film Section Will Quit Production Field

Radio and Motion Picture Section of the FHA will drop its film production activities although retaining its distribution setup, according to George Van der Hoeft, Section chief. Decision means that further production will fall to private industrial interests.

The FHA began the production of educational films for theatrical release six years ago, and for four years, financed them. In 1938, the Administration began to seek private sponsorship for some subjects.

The Government films, produced in Hollywood by Pathe and largely made in Technicolor, have gone to theaters without charge. FHA estimates that playdates have totaled 60,000, with an aggregate audience of 100,000,000. Approximately 13,000 theaters are serviced by the FHA distribution setup.

For future films, the Section is guaranteeing sponsors distribution in a minimum of 5,000 theaters and complete attendance reports on individual screenings. Up to five concerns may split sponsorship basis. Section believes it can handle four new subjects in 1941.

Myers Sees Brandt Views Like Allied's

(Continued from Page 1)

clean" in response to Allied's request for information, Myers, in a bulletin made public on Friday, charged Ed Kuykendall, MPTOA president, with dodging the issue.

However, Myers wrote, Brandt has removed the basis of the criticism which he allegedly has heaped on Allied, adding that "it now appears that he opposes the very features that Allied has been striving to have corrected. His reasons, in many instances, are similar to those urged by Allied in its representations to the Department of Justice."

Continuing, Myers said: "The most revealing part of Mr. Brandt's answer is that which has to do with the definition of a circuit. He rejects the principle that independent theaters should be protected against the buying power of circuits and buying combines. He says, 'The question is not the size of the operation, but solely theater against theater.'

"Allied has felt that the definition of an independent theater was too narrow and has so advised the Department. It has not, however, questioned that a group of theaters bound together in a common operation or buying combine constitute a circuit. Allied asked that Mr. Brandt give his views as to the classification of buying combines as circuits, and got its answer. The answer will be pondered by independent exhibitors everywhere."

Pa. Superior Court Rules Bank Night Illegal

(Continued from Page 1)

Creary it had upheld a decision of the Beaver County courts against J. C. Lund, Aliquippa theater manager who was convicted last March of setting up and operating a lottery and fined \$500.

Lund defended the local court's finding and contended that Bank Nights at two Aliquippa theaters did not constitute a lottery since some of the patrons attended on passes and had the same chances of winning as those who paid admission.

ITO of Oregon Goes On Record Against Games

(Continued from Page 1)

support. The effect, however, has been quite the opposite.

ITO represents some 90 theater operators in this state.

NWMP Clicks at Upped Prices

NWMP is clicking at advanced prices in several Canadian and U. S. situations, Paramount reported over the week-end. Spots cited were Chicago, Providence, Regina, Winnipeg, Calgary, Toronto, Edmonton and Saskatoon.

Ohio ITO to Hear Myers on Consent

(Continued from Page 1)

made by the Allied Information Dept. in regard to product buys and will analyze film selling throughout the country.

Arthur W. Kelly, recently appointed vice-prexy in charge of domestic distribution of United Artists, will make his first appearance at an exhibitor convention in his new capacity.

Martin Smith, ITO president, will be the guest of honor at a testimonial banquet Wednesday night.

H. M. Richey, M-G-M's director of exhibitor relations, will address the Thursday sessions. The open forum policy, introduced last year by Secretary Pete Wood, will be retained. Election of officers is scheduled for the final session.

Screenings will include Universal's "Seven Sinners" and Charles Chaplin's "The Great Dictator."

An equipment show is to be held in connection with the convention. Among those having displays will be RCA, National Theater Supply Co., Manley, Inc., Cretores Popcorn Machines, National Screen Service, National Carbon, Altec Corp. and the F & Y Theater Division.

Best Biz in Four Years In Prospect, Says Kent

(Continued from Page 1)

company's prexy, who has just completed a two weeks' studio visit.

Anticipation is based on what the studio has coming up in the way of top-notch product, plus the economic upturn and the approach of the post-election period.

Kent said he was leaving the studio "with the feeling that we will want for nothing to turn the financial tide of the season" and added he felt the earning power of at least five forthcoming productions was "unlimited." He cited "Tin Pan Alley," "The Mark of Zorro," "Western Union," "Chad Hanna" and "Hudson's Bay"; two, "Western Union" and "Chad Hanna" are in Technicolor.

Kent rated "Mark of Zorro" as "the best audience picture we have made in at least two years," described "Tin Pan Alley" as a "second 'Alexander's Ragtime Band'" and asserted that the color in "Western Union" "surpasses anything we have had in any picture."

"Birth" Ends Fifth Month

Cicero, Ill.—"Birth of a Baby" is completing its fifth month at the Morton Park Theater.

WEDDING BELLS

Evanston, Ill. — Robert Ringling was married to Irene T. Baurefind over the week-end. He makes his home here.

Harrisburg Exhibs. Employ Trailers and Posters in Fight to Legalize Sunday Pix

Harrisburg, Pa.—Local exhibs' fight to legalize Sunday pix has moved into high gear. Downtown houses are displaying sample ballots in their lobbies, while trailers and posters are also being employed.

A poster in the State Theater points out that in "Milwaukee, where Sunday movies have been running for 30 years, has the lowest crime rate in the U. S. A.," and asks "Can Sunday movies be so terrible?"

Several local houses are showing trailers made by Warner Bros. in which May Robson pleads for Sunday movies. Also employed are trailers in which Kenneth J. English, mayor of Pittston, asserts that since Sunday movies have been in operation in his community, there has been a decrease in juvenile delinquency.

8,000 20th-Fox Contracts Closed in Kent Drive

With annual Kent Sales Drive conducted by the 20th-Fox field forces entering its final stages, it was learned at the week-end that the company has already closed over 8,000 contracts for new season product.

Quota figures set up for the branch offices for the Drive were topped by 22 offices last week to give the sales department its best week of the Drive.

Lost Film Is Replaced

Montreal—National Film Board of Canada is replacing the film of the evacuation of British children lost when Ruby Grierson, its director and sister of Film Commissioner John Grierson, was drowned off the torpedoed liner City of Benares, with a new film, "Britain at Bay" for which J. B. Priestly, British novelist and radio broadcaster wrote the script.

Waring Again Heads Lambs

Fred Waring has been re-elected Shepherd of the Lambs. Raymond Peck was renamed the Boy, Ralph Trier, the treasurer. The annual Gambol of the Lambs will be held on New Year's Eve at the Waldorf-Astoria. The installation gambol is tentatively set for Nov. 24 at the clubhouse.

Blinderman Rites Held

Funeral services were held yesterday for Harry Blinderman, 60, operator of the Palace Theater uptown who died on Friday. Blinderman was formerly a partner in the firm of Steiner & Blinderman. Surviving are his widow and a daughter, Mrs. Dorothy Gottlieb.

Denton Running for Rep.

Knoxville, Tenn.—George L. Denton, circuit operator, is one of three Republican nominees for representative from Knox County.

New WB Bristol House Opens

Bristol, Conn. — Warners' opened the 806-seat new \$125,000 Bristol Theater at the week-end. House is managed by Victor Morelli.

Chi. Operator Pact Up Tomorrow

Chicago—Conference between exhibs. and operators on a new pact for Chi. projectionists will come up again tomorrow with the return of Frank Phelps, Warners' labor contact.

Indie Support Insurance, Golden Tells 200 Exhibs.

Chicago—Eddie Golden told 200 independent exhibitors at the Congress Hotel luncheon Friday that theater owners should give independent producers as much co-operation as they give the larger companies. Supporting independent's, he said, was an insurance policy for exhibitors against unhealthy industry practices. Golden called the exhibitors' attention to Robert Montgomery's statement in New York newspapers of the industry's participation in the defense program.

Denis Plans to Make Next Film in South America

Armanda Denis will forsake Africa for South America on his next expedition. Denis departs next month to make a preliminary survey.

On Cleveland V. C. Board

Cleveland—New board of directors of the Cleveland Variety Club includes: Bert Stearn, UA district manager; Frank Boyd, American Seating Co. representative; Jerome Friedlander, attorney; M. B. Horwitz, general manager of the Washington circuit; Frank Drew, M-G-M branch manager; Dave Miller, Universal district manager; I. J. Schmetz, 20th-Fox branch manager; Harry Goldstien, Paramount district manager; Lester Zucker, Columbia branch manager; John D. Kalafat, Associated Circuit; P. E. Essick, Scoville, Essick and Reif circuit. Ex-chief barkers Nat Wolf and Nat Lefton will sit on the board in an advisory capacity.

Beddingfield Heading Car. TOA Convention Com.

Charlotte, N. C.—Program committee of the mid-Winter convention of the TOA of North and South Carolina, which meets here Dec. 1-2, is headed by F. H. Beddingfield. Other members are G. W. Parr of Lancaster, S. C., and Harry Hardy of Charlotte.

Gratuities, Not Wages

Chicago — Theater owners, who make payments to their employees in training to supplement the military pay, need not report these payments to the Illinois Unemployment Compensation department, Martin P. Durkin, director, has ruled such payments are not wages, but gratuities.

SMPE Com. Studies Films' Use in Tele

(Continued from Page 1)

convention as it terminated its sessions here Friday night.

Dr. Goldmark in his report discussed flicker frequency vs. illumination, the effects of motion, and indicated the possibility of markedly improved definition with a given number of lines now that the major limitations of present scanning-spot shape and intensity distribution have been removed in the laboratory.

The report warns that television will not be on technical safe ground if frame frequency is reduced below that now used for motion picture work.

The committee reports that more time will be necessary to investigate color, protected by television from the standpoint of flicker and visual fatigue.

The final meeting was wholly devoted to television, with papers being presented by H. R. Lubcke of Don Lee, H. See of NBC and C. F. Wolcott of Giffilan Bros.

See reviewed tele coverage of the GOP convention in Philadelphia, a "first," while Lubcke discussed the similarity between the photographic aspects of tele and films. Wolcott was concerned with problems in tele resolution and suitable standards, now before the National Television System Committee.

Foreign Heads to Confer With NBC on L.A. Programs

(Continued from Page 1)

International broadcasts to South and Central America. Meeting, originally scheduled for last Tuesday, was postponed until tomorrow in order that full representation would be assured. The film concerns are co-operating with NBC in sponsoring short wave programs via NBC's WRCA and WNBI.

Representing NBC at the meeting, which will be held in the NBC Board Room, will be John Royal, head of New Activities and Developments, and Lunsford P. Yandell, director of the International Division, while picture company executives will include J. S. Hummel, Warner Bros.; John W. Hicks, Paramount; Joseph H. Seideman, Universal; Phil Reisman, RKO; Arnold Picker, Columbia, and David Blum, M-G-M.

Parsons Set for Chicago

Chicago—Louella O. Parsons and her Hollywood troupe have been booked into the Chicago theater for the week of Nov. 8.

TO THE COLORS!

St. John, N. B.—Eldon Wynn, youngest film exhibitor in the eastern provinces, is the first theater manager taken for military training in Canada.



THE WHISPERING CAMPAIGN! Listen!

"I see that the Gem Theatre is sponsoring the Red Cross Drive."

"They always are ready to cooperate on such things... I like their community spirit."

"*There's no collection in the theatre. They show a short but marvelous Red Cross picture.*"

"It made me join the Red Cross, and also made me a steady customer of the Gem Theatre."

Mr. Exhibitor, when the Red Cross Membership Drive starts on Nov. 11th, be proud that you're part of the industry-wide effort to make this truly American enterprise the biggest success of all time.



Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 85

NEW YORK, TUESDAY, OCTOBER 29, 1940

TEN CENTS

EXHIBS. READY FOR PROTEST ON DECREE Hays, Kennedy Will Meet on U.K. Remittances

New British Proposals on Quota and Money Expect To be Outlined at Parley

Will H. Hays, MPPDA prexy, and Joseph P. Kennedy, Ambassador to the Court of St. James, who arrived in the U. S. by Clipper Sunday to report to the President, are expected to confer later in the week on the new British remittance and quota proposals.

Hays was at the airport Sunday to greet Kennedy on his arrival, but their conversation was brief. Said the General, with a smile, "I'm going to give you a chance to get ac-

(Continued on Page 8)

Cuba Modifying Proposed Contract

Havana (By Air Mail)—Following a meeting of representatives of the distributors and theater interests to discuss the proposed uniform contract, it was learned that it had been agreed to drop Clause Eight from the contract and to petition the Secretary of Commerce as well for a suspension of the anti-block-book-

ing bill recently enacted.

Clause Eight in the proposed con-

(Continued on Page 9)

Metro Signing Composers For Original Pix Scores

West Coast Bureau of THE FILM DAILY

Hollywood—Metro is forming a group of leading composers who will compose original themes for film scores. Group thus far includes Eugen Zador, symphony composer; Daniele Amfitratof, Russian composer, and Mario Castelnuovo-Tedesco, who collaborated with

(Continued on Page 4)

Litvak Gets 2-Year Warners Contract

Anatol Litvak has signed a new two-year directorial contract with Warners during his present trip to New York, it was learned yesterday.

First picture under it will be "King's Row."

Litvak leaves for Hollywood today.

Color 10 Times More Important to Tele Than to Motion Pictures, Chaplin's View

Color is 10 times as important to television as it is to motion pictures, in the opinion of Charles Chaplin, following a demonstration of CBS's color tele by Dr. Peter C. Goldmark. Observed Chaplin:

"In black and white television, you can't recognize the details of the picture clearly—and with color you can. With color, your eye gets more for its money. I think that now that you've got color, you can start television with on its right foot."

Chaplin starts back for the Coast tonight on the Century.

UA to Speed Release Of "Great Dictator"

Charles Chaplin's "The Great Dictator" will be put into general release at advanced admission prices immediately, it was announced yesterday by UA which explained that the move will be launched in order to capitalize on present public interest in the picture. All time records have been claimed for the New York and Philadelphia engagements.

Immediate bookings on the pic-

(Continued on Page 4)

Coast Studios Starting Eight Features This Week

West Coast Bureau of THE FILM DAILY

Hollywood — Eight pictures are scheduled to go into production this week.

At Columbia: "Blondie Goes Latin" with Penny Singleton, Arthur Lake, Larry Simms and Daisy.

At Republic: "Bowery Boy" with Jimmy Lyndon.

At Universal: "Back Street" co-

(Continued on Page 9)

Greek Prints' Fate Unknown U. S. May Lose Half Million Yearly Revenue

Towne-Baker Deal With UA For 5 Years Practically Set

West Coast Bureau of THE FILM DAILY

Hollywood—A deal is practically set whereby Towne & Baker will produce two pictures annually for five years for release through United Artists. Towne & Baker will have complete outside financing.

NWMP Para.'s Biggest In 12 Years—Agnew

NWMP sizes up as "by far the biggest Paramount money picture in the past 12 years," Neil Agnew, company's sales chief, said yesterday.

Figures compiled from the reports to Para.'s home office from Providence, Kansas City, Portland, Ore., Denver, Houston, Youngstown, Chicago, Memphis, Portland, Me., and Milwaukee show the DeMille Technicolor production playing at advanced prices, is running 192 per

(Continued on Page 4)

Six Companies to Discuss NBC L.A. Short Wave Plan

Despite reported East-West differences, heads of foreign departments of six film companies will meet at NBC today to discuss a short wave series to be sponsored jointly by the sextet over the facilities of the NBC International short wave stations. Dispute arose when East-

(Continued on Page 8)

Attorney General Jackson And Thurman W. Arnold Have Okayed the Decree

Independent exhibitor groups are expected to ask Federal Judge Henry W. Goddard to throw out the proposed consent decree today when the document designed to terminate the New York equity suit against the "Big Five" is to be presented to him formally.

Milton C. Weisman, attorney, will make the plea in behalf of the ITOA and possibly other organizations. A similar plea is expected to be made by Max Cohen's New York Allied, Pacific Coast Conference of Independent Exhibitors, and Fred Kent,

(Continued on Page 10)

No Studio Personnel Changes, States Kent

Returning yesterday morning from a business trip to the 20th-Fox studios, Sidney R. Kent, prexy, stated that there were no changes contemplated in the production personnel of the company.

Kent, when asked about the effect

(Continued on Page 10)

Warner May Do Spence Book as Legit. and Pix

Jack L. Warner, who leaves for the Coast today after two weeks here, is negotiating with George S.

(Continued on Page 8)

Research Council Will Make 100 Army Reels

West Coast Bvr., THE FILM DAILY

Hollywood—Research Council of M. P. Academy expects to produce at least 100 reels of training pictures for army draftees during the current fiscal year ending June 30, 1941. The Council has been assured of initial Government appropriations of \$250,000 to launch the program.

Scripts for the pictures, which will be exhibited solely to draftees and other soldiers for training purposes, will be furnished by members of the Army's Signal Corps. Subjects are to range in length from one to five reels.

(Continued on Page 8)



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DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Monday, Oct. 28)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.				
Col. Picts. vtc. (2 1/2%)				
Columbia Picts. pfd.				
Con. Fm. Ind.				
Con. Fm. Ind. pfd.	8 1/2	8 1/2	8 1/2	+ 1/8
East. Kodak	133	132 1/2	133	
do pfd.	176	176	176	
Gen. Th. Eq.	11	11	11	+ 1/8
Loew's, Inc.	27	26 3/4	26 3/4	- 1/4
do pfd.				
Paramount	8 1/2	8 1/2	8 1/2	- 1/4
Para. 1st pfd.	9 1/4	9 1/4	9 1/4	- 1/4
Para. 2nd pfd.	10	10	10	- 1/4
Pathe Film	10 7/8	10 3/4	10 3/4	
RKO	2 1/2	2 1/2	2 1/2	
20th Century-Fox	6	5 7/8	5 7/8	- 1/4
20th Century-Fox pfd.				
Univ. Pict. pfd.				
Warner Bros.	2 1/2	2 1/2	2 1/2	- 1/8
do pfd.	37 3/4	37 1/4	37 1/4	+ 1 3/4

NEW YORK BOND MARKET

Keith B. F. ref. 6446				
Loew's deb. 3 1/2% 46	103 3/4	103 1/2	103 1/2	+ 1/8
Para. B'way 3 1/2%	47 1/2	47 1/2	47 1/2	
Para. Picts. 6555				
Para. Picts. cv. 3 1/2% 47	92 1/2	92 1/2	92 1/2	- 1/4
Warner Bros. deb. 6548				

NEW YORK CUBB MARKET

Monogram Picts.				
Sonotone Corp.	1 1/2	1 1/4	1 1/4	+ 1/8
Technical	9 1/4	9 1/4	9 1/4	
Trans-Lux				
Universal Corp. vtc.				
Universal Picts.				

Postpone Skouras Trial

Trial of the action against George P. Skouras, Skouras Theaters Corp., Kima Corp., and Harvey B. Newsin was postponed yesterday to Nov. 6 by Federal Judge John T. Clancy.

GENERAL FILM LIBRARY, INC.

WORLD'S LARGEST "STOCK SHOT" LIBRARY
OVER 20 MILLION FEET OF INDEXED NEGATIVES IN STOCK
1600 BROADWAY, N.Y.C.
Circu. 6-0081-2-3-4

Cecil B. DeMille's "NORTH WEST MOUNTED POLICE" tops his "Union Pacific" in 10 keys!

Newman, Kansas City . . . 3 days—	40% more than "U. P."
Majestic, Houston . . . 3 days—	46% more than "U. P."
Malco, Memphis . . . 3 days—	95% more than "U. P."
Chicago, Chicago . . . 3 days—	150% more than "U. P."
Strand, Providence . . . 3 days—	50% more than "U. P."
Palace and Wisconsin, Milwaukee 2 days—	200% more than "U. P."
Paramount, Portland . . . 2 days—	20% more than "U. P."
Palace, Youngstown . . . 2 days—	70% more than "U. P."
State, Portland, Me. . . 3 days—	70% more than "U. P."
Denham, Denver . . . 2 days—	40% more than "U. P."



COMING AND GOING

JACK L. WARNER and ANATOL LITVAK leave for the Coast today.

CHARLIE CHAPLIN takes the Twentieth Century Limited back to the Coast tonight.

W. C. GEHRING, Central division manager for 20th-Fox, leaves tonight for Chicago to negotiate circuit deals.

HAROLD RODNER, Warner theaters exec., has returned to the home office from a visit to Philadelphia and Chicago.

JOHN W. CONSIDINE, JR., Metro producer, left New York Sunday to return to the Coast.

CAPT. MILTON V. O'CONNELL, U.S.M.C. of H. A. Bruno and Associates, leaves his post Thursday for Quantico, Va., for active duty with the Marines.

RUTH SCHWERN, film publicist, is en route to Hollywood from New York.

LOUIS DEROCHEMONT, editor of The March of Time, returns to New York on Monday from a brief New England vacation.

EMERSON YORKE, shorts producer, returned to New York on the week-end from New England.

MADELINE CARROLL is scheduled to arrive from Montreal late today or tomorrow.

JOSEPH MC CONVILLE, JACK SEGAL and CHARLES ROBERTS arrived in Buenos Aires over the week-end. They were accompanied from Rio by LOUIS GOLDSTEIN, Columbia's South American manager.

S. CHARLES EINFELD departs for the Burbank studio Friday.

HARRY REINER, RKO exploiter, is in Hartford.

ATHAN PRAKAS of the Rivoli, Bridgeport, is a New York visitor.

JOAN BENNETT left for Hollywood yesterday.

GARY COOPER arrived here yesterday for a short visit.

FRANCES LANGFORD and her husband, JON HALL, leave for a vacation in Florida as soon as they complete their p.a. at the Paramount Theater.

HARRY (PARKYAKARKUS) EINSTEIN is here from the Coast for a few days.

EDDIE GOLDEN, Monogram sales chieftain, is in St. Louis.

SOL DOLGIN, Warner commercial tie-up manager, has returned to the studio after a five-week stay here on business.

GEORGE FRANK and his wife are at the Sherry Netherland.

LOUELLA O. PARSONS, DR. H. W. MARTIN, BRENDA JOYCE, ILONA MASSEY, ALAN CURTIS, JACK MULCAHY, WILLIAM T. ORR, ROBERT STACK, AUSTIN MENZIES, SABU and SHEIK DASTAGIR are stopping at the Warwick.

PATRICIA ELLIS is at the Sherry Netherland.

FLOSSIE FREEDMAN, British dramatic teacher, is en route to the Coast.

MELVYN DOUGLAS arrives in Cleveland on Thursday from the Coast.

STEPIN FETCHIT is here from the Coast.

JACK KIRSCH is here from Chicago.

CLIFF WORK, Universal studio chief, is in town for home office conferences.

DAVE PALFREYMAN, of the MPPDA, and H. M. RICHY, of M-G-M, leave today for the ITO of Ohio convention in Columbus.

R. B. MCLENNAN, Texas circuit operator, is in town.

GORDON MITCHELL, head of the Research Council of the M. P. Academy, has returned to Hollywood from Washington where as a Captain in the U. S. Signal Corps Reserve, he was in active duty for several weeks.

Charge RCA Loan to RKO Was Illegal is Dismissed

A charge that RCA made an illegal loan of \$11,000,000 to RKO in 1931 was dismissed yesterday by New York Supreme Court Justice Bernard L. Shientag in ruling on a complaint of 12 stockholders filed against RCA, its officers and a number of other companies.

The Court held that the claim of an improper loan was barred by the Statute of Limitations because the transaction occurred over six years ago. A number of other charges in the suit were dismissed at the same time.

Friars Club of Boston Becoming Variety Club

Boston—The Friars Club of Boston will affiliate with the National Variety Clubs of America as Tent No. 23 as soon as merger plans can be completed. Friars Club is six years old, with Steve Brody as prexy. Headquarters are in the Statler Hotel.

John H. Harris, national chief barker, and Bob O'Donnell addressed the Friars meeting at which the action was taken.

Booking Shorts for Election Night Begins

Hundreds of Columbia's accounts are booking complete shorts programs to run Election Night, it was said yesterday by M. J. Weisfeld, company's shorts sales head. Exhibits will start the shows at 9 p.m., and continue through midnight, announcing latest elections returns from the stage between each reel. Columbia's "Community Sing" reels are being largely booked.

Geo. Dillon to Warner H. O.

George Dillon, former New Zealand manager for Warners, has been transferred to the domestic distribution department, operating through West Virginia out of Cincinnati. James Schmidt has returned to the home office.

SAN FRANCISCO'S

Most Outstanding Downtown Hotel

HOTEL SIR FRANCIS
Drake

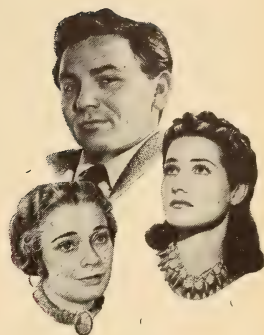


home of the
PERSIAN ROOM

Visit the world famous Persian Room and enjoy dinner dancing to the nation's leading orchestras.

Rates From \$4 up, Daily
POWELL at SUTTER

NOW GO EAST OF THE RIVER



**JOHN GARFIELD
BRENDA MARSHALL
MARJORIE RAMBEAU**
'EAST OF THE RIVER'

George Tobias • William Lundigan

Directed by **ALFRED E. GREEN**

Screen Play by Ered Niblo, Jr. • From the
Original Story by John Fante and Ross B.
Wills • A Warner Bros.-First Nat'l Picture

(NEW YORK'S 'OTHER SIDE OF THE TRACKS')

FOR THAT

All in November: DAVIS in 'THE LETTER' (HERBERT MARSHALL JAS. STEPHENSON) TUGBOAT ANNIE SAILS AGAIN

NOVEMBER FLOW

'SOUTH OF SUEZ' (GEO. BRENT • BRENDA MARSHALL) LADY WITH RED HAIR (MIRIAM HOPKINS CLAUDE RAINS)

OF WARNER DOUGH!

JACK L. WARNER • HAL B. WALLIS
In Charge of Production Executive Producer

UA to Speed Release Of "Great Dictator"

(Continued from Page 1)

ture include the Warner, Pittsburgh; Great Lakes, Buffalo; State and Orpheum, Boston; State, Providence; Loew's, Rochester; State, Syracuse; Loew's, Dayton; Valentine, Toledo; State, Houston; Palace, Indianapolis; State, Louisville; Midland, Kansas City; State, New Orleans; State, Memphis; State, St. Louis; Century, Baltimore; Poli, Springfield; Elm Street, Worcester; Majestic, Bridgeport; Poli, Hartford; Poli, New Haven; Apollo and Roosevelt, Chicago; Broad, Columbus; Stillman, Cleveland; Poli, Waterbury; Fifth Avenue, Seattle; Broadway, Portland; Paramount, Denver; Fox, Spokane; Palace, Washington; Palace, Hartford (move-over from Poli); College, New Haven, (move-over from Poli); Palace, Youngstown; Elgin, Ottawa; Orpheum, Montreal; Palace, Meriden; Shea's, Erie; and the Penn, New Castle, Pa.

In New York "The Great Dictator" will shortly enter the third week of its run at the Capitol and Astor Theaters. The Astor has announced an advance sale eight weeks ahead.

Appeal From Dismissal

Notice of appeal from a dismissal of a stockholder's suit against Consolidated Film Industries, Inc., Republic Pictures of Delaware, Cajco Co., and Setay Co., was filed yesterday in the Appellate Division of the New York Supreme Court. The Supreme Court has recently ruled after trial that charges of waste and mismanagement against Consolidated officers were unfounded.

AGVA Holds First Carnival

AGVA carnival, first annual dance and entertainment of the American Guild of Variety Artists, was held last night at the Manhattan Center. A number of actors and actresses in current shows appeared at the affair.

Receivership Move Flops

Application of Harry Silverstein for appointment of a receiver for the French Cinema Center was denied by Justice Lloyd C. Church in New York County Supreme Court. Silverstein charged that the company was insolvent.



● ● ● MORE than the unity of the industry.....the unity of America.....was gloriously manifest and symbolized yesterday noon-tide.....when filmland's solons gathered in the Hotel Astor.....to participate in the luncheon of the Amusement Division.....of the National Conference of Christians and Jews.....This corner has heard many, many speeches in his time.....but none more eloquent, logical and inspiring.....than those of Dr. Frank Kingdon.....educational director of the Citizenship Educational League.....and Louis Nizer.....film attorney who recently wrote his latest book....."Thinking On Your Feet".....and yesterday proved just how to do it.....

● ● ● MEETING was held under the aegis of Jack Cohn, Martin Quigley, and J. Robert Rubin.....and it is a pity that everyone in filmland couldn't have attended.....It was that kind of an affair.....Thereat and afterwards.....one felt prouder than ever of being a son of Uncle Sam.....living, as Dr. Kingdon put it.....in "the only nation which was conceived in liberty".

● ● ● AMONG those present were:.....Will H. Hays, J. Cheever Cowdin, Jules E. Brulatour, Nate J. Blumberg, Carl E. Milliken, Jack Allicoate, Leon J. Bamberger.....Max Blackman, Harry and William Brandt, John Byram, Irving Caesar, Mrs. Edmund Cahill, Howard Dietz, Lynn Farnol.....Barney Girard, Payton Gibson, Francis Gilbert, Leon Goldberg, Morris Goodman, Stanton Griffith, Moses H. Grossman, Harold Goldgraber, Toby Gruen.....John W. Hicks, Jr., Maurice Kana, Malcolm Kingsberg, Joel Levy, Jerome Loeb, Alec Moss, Abe Montague, Brock Pemberton, John H. Phillips.....Lou Pollock, Charles Prutzman, Sam Rinzler, Herman Robbins, Saul Rogers, Sam Rosen, Bob Savini, Si Seadler, Joe Seidelman, Abe Schneider, Max Seligman, Sam Shain, Ben Shlyen, Nate Spingold.....T. Kennedy Stevenson, William A. Scully, C. J. Tevlin, Walter Trumbull, Ned Wayburn, Mortimer Wormser, Cliff Work, J. R. Vogel, James Young, and others.....

● ● ● THAT was a slick tribute.....which Jack Kirsch (Allied of Illinois' prey).....paid to Eddie "Ball-of-Fire" Golden.....Monogram's general sales manager.....at the luncheon given in the latter's honor last Friday.....in the Casino Room of Chi's Hotel Congress.....Among other things, Jack said:....."Our industry would be a whole lot better off.....if more men like Rodgers (referring to Metro's William F.), Golden and others.....would take it upon themselves to come out and visit.....the rank and file of exhibitors.....face to face.....and discuss our problems together".....Everything and everybody is set.....for Universal's world premiere of its "Moonlight in the Tropics".....tomorrow night in the Fabian Theater.....o'er in Paterson, N. J.....'Tis gonna be a big day for the Jersey municipality.....what with a full-day-celebration.....including a huge street parade.....and a banquet in the Alexander Hamilton Hotel.....Paterson's "city fathers" have decreed that their town is dedicated to shovin' the rest o' the U. S. jus how.....to get back of a movie premiere.....

● ● ● THE local social (and biz) whirl.....continues today via a screening of RKO Radio's "Too Many Girls" in the Music Hall projection room at 3 p.m.....which'll be followed by a cocktail party.....in honor of Desi Arnaz, Cuban star.....in the Bacardi (yum, yum!) Room on the 35th floor.....of the Empire State Bldg. . . . It is entirely fitting and proper.....that Ampa's guest of honor at Thursday's luncheon meal.....should be Paul "Terrytoons" Terry.....who is one of filmland's grand guys.....and is this year celebrating his 25th anniversary.....as a cartoon producer.....

NWMP Para.'s Biggest In 12 Years-Agnew

(Continued from Page 1)

cent of the preceding DeMille pix, "Union Pacific," Agnew pointed out in a wire sent yesterday to a branch managers.

All engagements report no opposition from the public to the advanced admission scale, the Para. exec. said, adding that many of the company's theater partners have agreed to boost scales after seeing week-end figures.

Reports from Canada, where the picture had its world premiere in Regina and in addition is now playing Winnipeg, Vancouver, Toronto, Montreal, Ottawa and other principal cities, show that "North West Mounted Police" is topping the Dominion record figures of "Snow White."

Expect NWMP to Stay Several Weeks in Chi. Loop Houses

Chicago—Paramount's NWMP is expected to stay several weeks in B & K Loop houses. At the Chicago theater, pix is being shown at a minimum of 44 cents (9 a.m. to 1 p.m.) and maximum 85 cents (6:30 p.m. to closing).

Metro Signing Composers For Original Pix Scores

(Continued from Page 1)

Jascha Heifetz on "The Prophets." Studio plans to have all new scores composed of original music rather than of compilations. There's the added financial advantage of no score charges.

Sues NBC for Getting Tele Rights to Films

Julius Singer yesterday filed suit in the New York Supreme Court against National Broadcasting Co. for \$15,000, alleging that sum was due him for his services in getting television rights for the company to a number of motion picture films.

Plaintiff also asks to examine various NBC execs. before trial.

S-W Will Cut Election Returns Into Pictures

Philadelphia—WCAU and Stanley Warner have arranged a huge election night tieup through which returns will be cut into the pictures to give the fastest returns. Special wire hookups, etc., are being set.

H. O. Expectations

Oklahoma City—Fred Lawrence, Republic booker and office manager, married in Little Rock, Ark., was sent the following telegram to Little Rock from the Oklahoma City Republic exchange staff:

"Home office approves contract but expects increase next year."

New Box-Office Heroes from **JOHN FORD**

who climaxes his magnificent record
for great pictures by bringing to full realization the epic surge of EUGENE
O'NEILL'S mighty drama of the sea!



"A superb picture!" —*Walter Winchell*

"Unquestionably one of the greatest
motion pictures of all time!"

—*Pare Lorentz, McCall's Magazine*

THE LONG VOYAGE HOME

Will Be Released On

NOV. 22, 1940

Walter Wanger
presents
JOHN FORD'S
Production of EUGENE O'NEILL'S
"THE LONG
VOYAGE HOME"

JOHN WAYNE ★ THOMAS MITCHELL ★ IAN HUNTER
BARRY FITZGERALD ★ WILFRID LAWSON
JOHN QUALEN ★ MILDRED NATWICK ★ WARD BOND

Directed by JOHN FORD
Adapted for the screen by Dudley Nichols • Produced by Argosy Corp.
Released thru UNITED ARTISTS





REVIEWS OF THE NEW FILMS



"Tugboat Annie Sails Again"

with Marjorie Rameau, Alan Hale, Jane Wyman, Ronald Reagan

Warners 77 Mins.
MILD MARITIME MELLER WHICH LACKS SUFFICIENT PUNCH TO TAKE IT OUT OF SO-SO CLASS.

There's a fair amount of entertainment of the simple and direct type in this human-interest meller which finds the veteran actress Marjorie Rameau in the role of Tugboat Annie, but the picture cannot be classed beyond a run-of-the-mine feature as programmers go. Essentially it is geared for the smaller, unsophisticated stands where patrons are not particularly attuned to complex scripts and involved situations.

The plot and the dialogue are primary in structure. Even the element of spectacle is virtually absent except in the collision of an ocean liner with the dry dock which Annie's tugboat is towing from a West Coast port to one in Alaska. Such heart-strings as are attempted to be tugged in the opus are presented to audience sympathy in the guise of the elderly femme mariner being in imminent danger of losing her job because of her gender, age, and lack of trust on the part of her employers and their customers.

The heavy in the proceedings is Alan Hale in the role of Capt. Bullwinkle. It is he who tries to drive Annie from the seas, first-off being the cause of her going on a wild goose chase to aid a beached vessel which turns out to be a whale. However, a real salvage job is encountered when a vessel is aground on a bar. This she succeeds in floating off.

Subsequently, her nemesis claims salvage when Annie's tow is rammed and stranded, but she wins out through her long memory of maritime law which decrees that a dry dock is not a vessel and not subject to salvage payment. At the finale, she is riding high with her opponents in the eclipse of defeat. There is a wisp of a romance 'twixt Annie's protegee, Ronald Reagan, and a shipping solon's daughter, Jane Wyman. The cast does the best it can with the material which is as shallow as some of the water on the besetting reefs. Lewis Seiler's direction is good, and photography up to snuff.

CAST: Marjorie Rameau, Alan Hale, Jane Wyman, Ronald Reagan, Clarence Kolb, Charles Halton, Paul Hurst, Victor Kilian, Chill Wills, Harry Shannon, John Hamilton, Sidney Bracy, Jack Mower, Dana Dale, Josephine Whittell, Neil Reagan.

CREDITS: Director, Lewis Seiler; Music by Max Steiner; Original Screenplay, Walter DeLeon; Based on characters created by Norman Reilly Raine.

DIRECTION, Okay. PHOTOGRAPHY, Good.

Eugene T. Crall Expires

Newport News, Va.—Eugene T. Crall, 57, prominently identified in the motion picture industry here for the past 25 years, died at a local hospital after an illness of about two months. He was a native of Norfolk, but came here about 25 years ago and became associated with his father, William F. Crall, who died in August.

"Hullabaloo"

with Frank Morgan, Virginia Grey, Dan Dailey, Jr.

Metro 77 Mins.
FAIRLY AMUSING COMEDY HAS A RAGGED STORY, BUT FRANK MORGAN IS AT HIS BEST.

A combination vaudeville bill, musical review and one-man show with Frank Morgan as star, this picture should please the Morgan fans and provide some laughs for average audiences. Picture lacks any "names" beside Morgan and the story is ragged at the edges. On the plus side is Morgan at his best, although his material is not too good; Charles Holland, a Negro with a beautiful voice who puts over two songs nicely; and a pleasing cast of able veterans and engaging youngsters.

Morgan is supported by Virginia Grey, attractive and pleasant, Dan Dailey, Jr., Billie Burke, Nydia Westman, Ann Morris, Donald Meek and Reginald Owen. Curt Bois and Barnett Parker will draw some laughs in two small roles. Edwin L. Marin directed from a screenplay written by Nat Perrin.

Morgan is trying to get a job on a radio show. He is making a play for Miss Westman, half owner of a big company, when his three previous wives and children descend on him because of a broadcast he makes which ribs the Orson Welles show that started a small panic because of its realistic nature.

Faced with three previous wives seeking alimony and rent for the whole bunch, Morgan and his children, Miss Grey, Leni Lynn and Larry Nunn, go into a huddle. With the contrivance of Dailey they manage to put a show on the air which is a hit.

CAST: Frank Morgan, Virginia Grey, Dan Dailey, Jr., Billie Burke, Nydia Westman, Ann Morris, Donald Meek, Reginald Owen, Charles Holland, Virginia O'Brien, Curt Bois, Sara Haden, Larry Nunn, Barnett Parker.

CREDITS: Producer, Louis K. Sidney; Director, Edwin L. Marin; Screenplay, Nat Perrin; Based on an idea by Bradford Ropes and Val Burton; Cameraman, Charles Lawton; Editor, Conrad A. Nervig.

DIRECTION, Adequate. PHOTOGRAPHY, Good.

M-G-M Castings

West Coast Bureau of THE FILM DAILY

Hollywood—Metro has cast Connie Gilchrist and Edward McNamara for "Ziegfeld Girl"; Chill Wills and Morgan Conway for "Bad Man"; and Mary Nash, Lee J. Cobb and Henry O'Neill for "Men of Boys' Town."

Coyne Heads Metro Pep Club

Cleveland — John Coyne, booker, has been elected president of the Metro Pep Club for the coming year. Elected with him were Sara Shellew, vice-president; Sadie Meckler, treasurer, and Gertrude Shaw, secretary.

Republic Casts Dennis O'Keefe

West Coast Bureau of THE FILM DAILY

Hollywood—Republic has cast Dennis O'Keefe and Jimmy Lydon for "Bowery Boy" from a story by Sam Fuller. William Morgan will direct.

"The Trail Blazers"

with Robert Livingston, Bob Steele, Rufe Davis

Republic 58 Mins.
RATES WITH THE BETTER WESTERNS, NEW PRINCIPALS IN MESQUITEER SERIES AGAIN CLICKING.

Second release in the Mesquiteer series with the new cast comprised of Bob Livingston, Bob Steele and Rufe Davis, picture measures up favorably to its predecessors which means it is one of the better westerns. Action is plentiful, the story is okay, and the cast is able. Technical aspects of the picture are up to par and the locations are good.

Livingston and Steele batter the villains with abandon. Rufe Davis adds some good laughs to the picture. Pauline Moore is an attractive decoration for the western landscape, and a fine crew of villains led by Weldon Heyburn make plenty of trouble until they are snuffed out in the last reel. George Sherman directed.

The Mesquiteers are devoting their time and energy to helping a friend, Carroll Nye, establish a telegraph line that will hook up the army posts and make the territory safer to live in. Heyburn, a newspaper publisher, is the leader of the gang working against the telegraph. Nye is murdered and his efforts come to naught. It is not until Miss Moore gets her father, head of the army in the territory, to back the telegraph that it is really pushed through and Heyburn and his gang put behind bars.

CAST: Robert Livingston, Bob Steele, Rufe Davis, Pauline Moore, Weldon Heyburn, Carroll Nye, Tom Chatterton, Si Jenks, Mary Field, John Merton, Rex Lease, Robert Blair.

CREDITS: Associate Producer, Harry Grey; Director, George Sherman; Screenplay, Barry Shipman; Original Story, Earle Snell; Cameraman, William Nobles; Editor, Tony Martinelli.

DIRECTION, Fast. PHOTOGRAPHY, Good.

Tone for Durbin Picture

West Coast Bureau of THE FILM DAILY

Hollywood—Universal has signed Franchot Tone to appear in Deanna Durbin's next picture, "Nice Girl." Robert Stack will also be in the film which William Seiter will direct. Richard Connell is making the adaptation from a story by Phyllis Duganne.

Warners Acquires Sennett Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. has acquired rights to the old Mack Sennett comedies and will re-edit and reissue most of them. Two of the films have been re-cut and will be released as "Love's Intrigue" and "Happy Faces."

Korda Signs Burgess Meredith

West Coast Bureau of THE FILM DAILY

Hollywood—Alexander Korda has signed Burgess Meredith to appear opposite Ilona Massey in "New Wine." Ladislaus Bus-Pekete is making the adaptation from his own story.

SERIAL

"The Green Hornet Strikes Again" Universal 21-minute episodes

Lots Of Action

The dramatic radio story, "The Green Hornet," is brought to the screen in this new Universal serial. Story concerns the battle of a newspaper publisher who masquerades as The Green Hornet when he fights the underworld. Warren Hull, Wade Boteler, Keye Luke and Ann Nagel head the cast. Serial starts off with a bang and maintains a fast pace, with the early episodes winding up on a climactic note that should bring the customers back for more.

SHORTS

"Recruiting Daze"

Universal 6 2/3 mins. Fair Cartoon

Punchy, a slightly wacky recruit, joins up as the government calls for conscripts. The generals are in a dither and Punchy wanders aimlessly about the camp with a wheelbarrow full of munitions. Modern mechanized Indians, big berthas, little berthas and beebe guns are displayed; a pursuit plane slices sausage off a sausage balloon and bombs fall all over the landscape. Punchy comes to an untimely end when he falls into a big bertha after loading it.

Yorke Back from New England

Emerson Yorke, short subjects producer, and a camera crew returned to New York on the week-end from location in New England where they completed footage for the first reel of a two-reeler in Cinecolor which the Yorke Studio is making for national release. Burgi Conner, ASC, handled the cameras on the job, assisted by Sid Zucker. "Red" Angven is production contact on the film.

Chicago Theater Bookings

Chicago — Max Turner, B & K booking manager, reports the booking of the Merry Macs and Abbott and Costello for the Chicago theater for the week of Nov. 15 to be followed by Cugat orchestra and Ray Bolger the week of Nov. 22, while for the week of Dec. 6 Orrin Tucker and Bonnie Baker will headline.

Jack Warner Wins Tax Case

Washington Bureau of THE FILM DAILY
Washington—The U. S. Board of Tax Appeals handed down a decision in favor of Jack L. Warner against claims of the Commissioner of Internal Revenue for deficiencies in gift taxes of \$4,586.15 for 1932, 1933, and 1935.

Fate of Pix Shipped To Greece Unknown

(Continued from Page 1)

per cent are said to be German and 22.7 per cent are reported to be French. These figures, it is understood, probably have undergone changes this year, but they are sufficient to show that the U. S. film industry probably has lost another market because of the war.

Annual revenue to U. S. distributors from Greece is from \$400,000 to \$500,000. One of the large Greek circuits is managed by Thanos Skouras.

Greece has 175 motion picture theaters, all wired for sound. A quota system, set up late in 1939, calling for 370 features to be imported yearly, was extended about a month ago to June 30, 1941.

Greece Imports U. S. Film Cameras, Home Projectors

Washington Bureau of THE FILM DAILY

Washington—The U. S. Assistant Commercial Attache in Athens reported last week that there are now 200 16-mm. and 150 8-mm. U. S. amateur motion picture cameras in use in Greece, with about 150 8-mm. and 230 16-mm. home projectors, imported from America. This is exclusive of the number of projectors owned by the Bureau of Educational Cinematography, 25 of its recent purchases of 16-mm. projectors being of American make, the rest Swiss and Austrian.

Most of these imports are reported as having been purchased from a single American firm which had carefully cultivated the Greek market.

Elmer Shard Dead at 53

Cincinnati—Elmer Shard, 53, owner of the Monte Vista and Lyric Theaters, suburban houses, died following a short illness. His wife, Lilly, and son, Elmer F., survive.

John Bartzan Dead

Sheboygan, Wis.—John Bartzan, 56, a director of the Strand Theater Corp., is dead here. He is survived by his wife, three sons and a daughter.

WEDDING BELLS

Holyoke, Mass.—Ethyl C. Morrissey, cashier at the Suffolk Theater here, became the bride of Thomas F. Sheehan at Holy Cross Church.

Denver—Larry Morahan, assistant manager at the Egyptian, and Rae Marie Giesler, cashier at the Oriental, were married.

Havana (By Air Mail)—Eladio Novo Pita, manager of the Ibero America Films, and Celia Roca Guinovart, daughter of Selecciones Capitolio's owner, have announced their engagement.

Lowell Mayor Halts License Commission's Passes to Theaters After Exhibs. Complain

Lowell, Mass.—Mayor George T. Ashe has directed the License Commission not to issue any more season theater and amusement passes and to nullify all those issued since the first of the year in a determined effort to stop what he described as a "racket." At the same time the Mayor stated that Sunday theater and amusement licenses would be \$20 instead of \$10. As 10 such licenses are issued each Sunday the Mayor pointed out the city would receive \$5,000 a year increase in revenue.

"Theater managers have been complaining," the Mayor said "of the constant increase in passes being issued by the License Commission, each one of which would admit bearer and a friend to any theater in the city at any time. Investigation has convinced me of the justice of their complaints. The courtesy or privileges have been abused and I have decided to stop it forthwith."

Six Companies to Discuss NBC L.A. Short Wave Plan

(Continued from Page 1)

the Coast to the advisability of sponsoring such a series, especially when they have garnered so much free time to date to plug releases in Latin and South America.

Lunsford Vandell, head of the NBC International Division, who originally worked out the deal on the West Coast last Summer, stated that while no contracts had actually been signed, there existed verbal commitments which he felt sure would be met by the film concerns.

Talks today will center around the type of broadcast to be used. It is believed that each firm will supply disks plugging new releases slated for the South American market, with disks to be cut on the Hollywood lots, and shipped East for rebroadcast purposes.

Film reps. in New York yesterday stated that attendance at the meeting was indefinite, but a late check at NBC revealed that acceptances had been received from 6 firms.

Warner May Do Spence Book as Legit. and Pix

(Continued from Page 1)

Kaufman and Moss Hart to dramatize for Broadway, "One Foot in Heaven—The Biography of a Practical Person," the Hartzell Spence best-seller. Kaufman and Hart are committed to one deal with Warners for the screenplay of their current stage hit, "The Man Who Came To Dinner."

Completed negotiations between Warners and the Kaufman-Hart team would bring about the unusual situation of having a stage version of "One Foot in Heaven" playing on Broadway while its screen version is exhibited over the entire country.

On Allied Exhibitors Council

St. John, N. B.—Added to the council of the Allied Exhibitors have been A. A. Fielding, of St. John, and P. J. Haley, of Halifax. Fielding is the chief assistant of F. G. Spencer, head of the Spencer circuit, and Haley is manager of the Family, in the center of Halifax, and in the Franklin & Herschorn circuit (Frankhorn Theaters).

Alexander Advances Wolf

Richmond, Va.—Frank Wolf, Jr. has been promoted to general district manager by Alexander Film Company. O. J. Hill is Eastern Virginia representative.

Stearn, UA Branch Head, Tops V. C. of Cleveland

Cleveland—Bert Stearn, UA district manager, has been elected chief Barker of the Cleveland Variety Club succeeding Nat L. Lefton. Installations will take place on Dec. 14. New roster for the year, in addition to Stearn, includes Lester Zucker, Columbia branch manager, 1st assistant chief Barker; Frank D. Drew, Metro branch manager, 2nd assistant chief Barker; Frank H. Boyd, American Seating Co., property man; I. J. Schmertz, 20th-Fox branch manager, dough boy.

The crew is composed of Jerome Friedlander, attorney; M. B. Horwitz, general manager of the Washington circuit; Dave Miller, Universal district manager; Harry E. Goldstein, Paramount district manager; John D. Kalafat of the Associated Circuit and P. E. Essick of the Seaville, Essick & Reif circuit. Advisors to the crew are past chief Barker Nat L. Lefton, Nat Wolf, Nat Holt and M. B. Horwitz.

Hays, Kennedy Will Confer on U. K. Offer

(Continued from Page 1)

quainted with all your children before we get down to business."

Kennedy, who returned to New York from Washington early yesterday, cancelled a press conference which had been called for 11:30 a.m. at the Waldorf-Astoria. The Ambassador speaks over CBS at 9 p.m. tonight.

Conference with Hays will be at Kennedy's convenience, but is expected to be held at the earliest possible moment in view of the fact that the present remittance agreement terminates on Thursday.

British proposals which Kennedy is understood to be bringing were outlined in THE FILM DAILY last Thursday.

Madeleine Carroll Ends P.A.'s

Montreal—Madeleine Carroll completed a NWMP p.a. tour here last night, following earlier visits to Toronto and Ottawa. Consolidated Theaters was host at a luncheon here. Star proceeds from here to New York.

Kaltsas Heads Apollo Co.

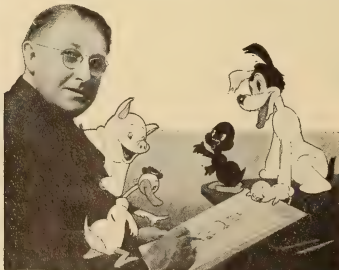
Worcester, Mass.—Dimitrios Kaltsas has been elected president of the Apollo Theater Co. here. Peter L. Bell is treasurer.

A ★ M ★ P ★ A ★

cordially invites all in the industry to attend our luncheon meeting in honor of the

25th
Anniversary
of

PAUL
"TERRY TUNES"
TERRY
and his pals



Entertainment Surprises and Special Attraction—

DESI ARNAZ

Star of stage and screen in "TOO MANY GIRLS"

College Room—Hotel Edison

Thursday, October 31

Serving Starts 12:45 Sharp—Guests \$1.25

Cuba Modifying Proposed Contract

(Continued from Page 1)

tract was said to have the same meaning as Clause Six. The clauses covered arbitration of disputes.

Representing the distributors at the meeting were E. F. O'Connor, Metro; J. D. Rappaport, Paramount; Basilio de Armas, Pedro Saenz and their counsel, Dr. George Cassuso.

Terms of the proposed contract were published recently in **THE FILM DAILY**.

Lightfoot and Simpson In Associated Brit. Posts

London (By Cable)—Eric Lightfoot has been appointed managing director of Associate British and R. G. Simpson, chairman of board. Appointments fill the vacancies occasioned by the death of John Maxwell.

Legion of Decency Rates Chaplin Comedy for Adults

Legion of Decency has placed "The Great Dictator" in "Class A—Section Two—Unobjectionable to Adults."

Joan Crawford on Air

Joan Crawford will appear before a WMCA microphone from 4:15 to 4:30 o'clock, tomorrow afternoon, in the first of a series of broadcasts which will be relayed by short wave to England and which are designed to bolster the morale of English listeners.

Soviet Pix to Open In Chi.

"The Great Beginning," a new Soviet film, has been booked in Chicago to open at the Studio Theater on Nov. 7 for an indefinite run. This is the first of a series of new Soviet film releases to be distributed in this country by Artkino Pictures, Inc.

"Rockne" Nov. 15 in Chi.

Chicago — "Knute Rockne — All American" will have its first-run in this territory Nov. 15 at Warners' Avalon.

STORKS!

Cleveland—It's a girl over at the home of Joe Longo, director of publicity for Loew's Theaters. Family's first daughter weighed in at St. Anne's Maternity Hospital at 7½ pounds.

Henry Reiner, National Screen Service metropolitan salesman, is passing out cigars. It's a boy, born to Mrs. Reiner in the Lying In Hospital.

Leo Justin, of the Walter Reade circuit, became the father of an eight-pound daughter Saturday morning. Baby, which is the Justins' second daughter, was born at the Le Roy Sanitarium.

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD

EDWARD H. GRIFFITH added another discovery to his list recently, when he tested Helen Slade, member of the Hedges Group of Players at Laguna Beach, for a role in his next production for Paramount, "There's Always Juliet." Miss Slade, it is understood, has been placed under contract at Paramount.

OUR Passing Show:—Edward Ellis, Ivan Kahn, Sol Polito, Forrest Tucker, Robert Wyler, Del Goodman, Sadie Fryer, Robert Palmer, at "Forty Thousand Smiths" at Ben Bard's Playhouse.

CHARLIE RUGGLES has sent letters to a host of his friends to bring to his See-Are Kennels, old books and magazines which the comedian will shortly present to Lt. Henry M. Fine at March Field, for Uncle Sam's aviation group.

DIRECTOR Rouben Mamoulian believes in co-operative direction. On his most recent 20th Century-Fox directorial job, "The Mark of Zorro," Mamoulian encouraged cast and crew to offer suggestions as to script, dialogue, makeup or anything that didn't seem natural.

FOR a couple of dance sequences in his latest picture, "Three Girls and a Gob," George Murphy, on loanout to RKO from M-G-M, has worked out simple methods of doing the Rumba and the La Conga. In instructing Lucille Ball in the routines on the screen, he will also make the dances simple for the audiences.

CLARENCE BROWN, directing "Come Live With Me," for M-G-M, is putting the engineering knowledge he learned at the University of Tennessee to practical use on his Calabasas ranch. Brown has designed a cantilever bridge and is erecting it across an arroyo which cuts his ranch in two.

NORMAN TAUROG, who would rather direct children than adults, has kept a file of pictures of all the kids he has directed since he first won the Academy Award with "Skiy," in 1931. The file has 500 pictures, the latest addition being 12 shots of Judy Garland whom he directed in "Little Nelly Kelly," for M-G-M.

Coast Studios Starting Eight Features This Week

(Continued from Page 1)

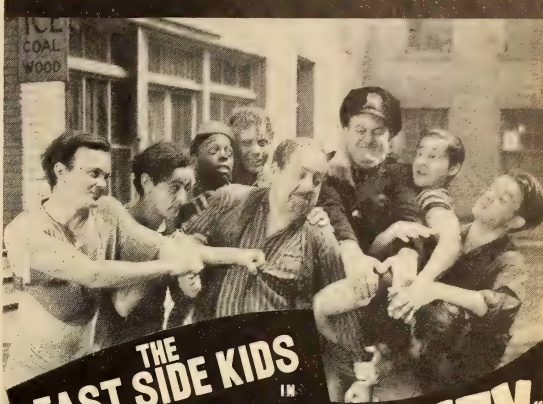
starring Margaret Sullavan and Charles Bower with Richard Carlson. Frank McHugh and Frank Jenks; and "Where Did You Get That Girl?"

at Warners: "January Heights" starring Bette Davis with George Brent; and, "Father and Son."

At Hal Roach: "Tooper Returns" with Joan Bennett, Joan Blondell, Roland Young, Billie Burke and H. B. Warner.

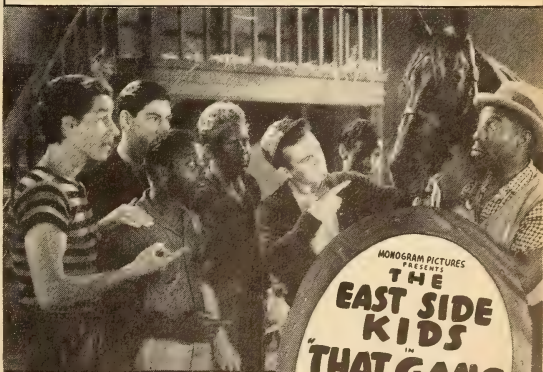
At Producers Releasing Corp.: "The Devil Bat" with Bela Lugosi.

GET ON THE MONEY SIDE OF THE STREET!



THE EAST SIDE KIDS
IN
"BOYS OF THE CITY"
WITH
BOBBY JORDAN · LEO GORCEY
A FOUR-BELL PRODUCTION
PRESENTED BY MONOGRAM PICTURES

"Plenty of excitement and action"—Film Daily
"Lots of laughs... more than usual serving of suspense"
— The Exhibitor
"Tense melodrama"—M. P. Daily



"Where 'Dead End Kids' are a draw, will do especially well"—Variety

"Kids do splendid work... Clarence Muse gives standout performance"
— Film Daily

MONOGRAM PICTURES
THE
EAST SIDE KIDS
"THAT GANG OF MINE"
WITH
BOBBY JORDAN LEO GORCEY

Produced by SAM KATZMAN
Directed by JOSEPH H. LEWIS
Screenplay by WILLIAM LIVELY
Original Story by ALAN WHITEHEAD
FOUR-BELL PRODUCTION

Exhibs. Ready for Protest on Decree

(Continued from Page 1)

representing Southeastern exhibitor interests.

Allied, whose board directed personal appearance of its counsel at today's hearing, is expected to be represented, although it could not be determined yesterday if Abram F. Myers, general counsel, would be present.

Trend of Indie Argument

The independents will argue that the decree is of no benefit to any branch of the industry and should be killed. Judge Goddard is expected to withhold his own decision for about two weeks and may grant a formal hearing on the indie's objections during the intervening time.

It is generally believed the judge will approve the document inasmuch as both the Government and the distributors, the latter being the actual defendants in the case, have agreed to its provisions.

Government attorneys said yesterday that they would not ask for an adjournment of today's session, indicating definitely that the decree would be formally presented to Judge Goddard.

Decree Okayed by Jackson

A telegram late last night from the Washington Bureau of THE FILM DAILY brought word that a high D of J executive had stated that both Attorney General Robert Jackson and Assistant Attorney General Thurman W. Arnold had passed the decree, and that before the decree is formally entered in court, the court will leave the way open to hear possible objections.

The decree will be submitted to the court, the message said, by the three Justice dept. officials who have actively worked on matter—Hayes, Sher and Wright, a ranking D of J executive being authority for the statement.

It was also said that neither Attorney General Jackson nor Assistant Attorney General Arnold, or their immediate lieutenants, would appear in the New York court.

Jack Kirsch, president of Illinois

TO THE COLORS!

Chicago—James Holmquist of the Cosmo Theater staff has joined the U. S. Naval Reserves and is now in service.

St. John, N. B.—Lieut. H. F. Parker, who was manager of the Majestic, Yarmouth, before going overseas with a Canadian army unit, has been assigned the command of a mechanized cavalry outfit, which recently captured a German bomber pilot.

Richmond, Va.—Louis Starkey, doorman, Park, has enlisted in the Army. Terry Newcomb and Roger Owen, Ponton service staff, have also enlisted. William Andrew, Loew's, joined the National Guard.

B & K, Para. Thank Chi. for NWMP Gala

Chicago—B & K and Paramount, following premiere of NWMP, took display space in the dailies here to express thanks to the city for the "splendid reception" of Cecil B. De Mille and the visiting Hollywood "names," and added: "We trust that the joy and pleasure afforded by this memorable event will more than compensate for any inconvenience we may have caused you."

Small Wisconsin Circuits Add to Their Holdings

Milwaukee, Wis.—Small independent circuits in Wisconsin have been enlarging their holding in recent weeks. The Fenway at Fennimore has been annexed by the Eskin Theaters, Inc., operators of about a dozen houses in south central Wisconsin; the Tosa in Wauwatosa has been acquired from Ross Baldwin by Marcus & Svenoff, operators of houses in Ripon, Oshkosh and Sparta and the Parkway at Greenwood has been taken over by the Grengs Amusement Co., operating seven houses in Wisconsin and Minnesota, from Mr. and Mrs. M. E. Kenyon. In each instance the new operators have completely renovated the houses.

Suspend Buben License, Claim Taxes Unpaid

Columbus, O.—William S. Evatt, head of the Ohio Tax Commission, yesterday suspended for 30 days the Amusement tax license of F. C. Buben, operator of the National Theater in Akron. Suspension, according to Evatt, was ordered because Buben failed to pay admission taxes and assessments amounting to \$426.63 on the National and Palace theaters. Later was formerly operated by Buben.

Allied, who is in New York for a brief visit, yesterday issued a statement as to how the proposed selling in blocks-of-five would operate in Chicago. His statement, in part, follows:

Kirsch on "Blocks of 5"

"In selling pictures in groups of five, as I understand it, a distributor may designate any five trade-shown pictures he wants in a single group, meaning, if you refuse to buy the first group and want to buy the second group, the distributor has the right to interchange pictures and can name pictures from the first group for your second group. Let me explain how this would work in Chicago. Clearance in Chicago is based upon price admission, so if a 25 cent house refuses to buy the first group and a 20 cent house buys it, how can the distributor expect a prior run to repeat on a subsequent run? It was suggested to the Attorney General that pictures sold in groups of five should be sold on a national release or local distribution-center basis and that exhibitors would all have the same set-up, but under the present system the distributor can juggle pictures.

No Studio Personnel Changes, States Kent

(Continued from Page 1)

of the consent decree on production, said that there was no way to determine effects at this time. He added he would hesitate to give an opinion until it had been in operation for awhile.

M of T Offering Exhibition Study Guides for Teachers

M of T this month inaugurates a new promotion tie-up with schools—The March of Time Teacher's Study Guide—a monthly question and answer guide issue of M of T, Albert E. Sindlinger, Advertising and Promotion Director, announced yesterday. Study guide goes out to theater managers free of charge as a part of the M of T Clip and Work Book, and managers then pass it along to teachers. This new feature follows the same promotion line of the Photo Reporter which formerly was sold to exhibitors who then gave it to school children.

20 Warner Houses Will Get Coca Cola Machines

Coca Cola vending machines will be installed in some 20 Warner houses in the Chicago and Philadelphia areas, it was learned yesterday when Harold Rodner, theater department executive, returned from a survey tour of these territories. New machines will augment candy vending machines in the houses.

First "Bitter Sweet" Dates

Initial "Bitter Sweet" engagements were announced yesterday by Metro. The new Jeanette MacDonald-Nelson Eddy film will open Nov. 7 at the Palace, Cincy; Nov. 14 at the Des Moines and Roosevelt, Des Moines, day-and-date, and Nov. 22, at Loew's, Montreal.

Blanco, Cuban Distributor

Buenos Aires (By Air Mail)—Senor Vincente Blanco, distributor of Argentina Sono Film in Venezuela and Puerto Rico, has accepted A.S.F. representation in Cuba. He will return to Cuba early in November.

Luncheon for Zuckmayer

Carl Zuckmayer, European playwright and novelist, will be guest of honor at a luncheon to be held today in the Russian Tea Room, and attended by the New York film critics.

"Grapes" at 40-50c in Cuba

Havana (By Air Mail)—"Grapes of Wrath" showed at the Radio Cine here at 40-50c.

Up Prices for "Bridge"

Havana (By Air Mail)—Encanto theater advanced prices to 50-60c for the premiere of "Waterloo Bridge."

BOOK REVIEWS

THINKING ON YOUR FEET, by Louis Nizer. Introduction by Bruce Barton. 312 pages, fully indexed. Priced, \$2.50. Published by Liveright Publishing Corp., New York.

It is a happy circumstance that this timely, absorbing and highly readable book, unique in its particular field, found exactly the right author. Indeed, perhaps it would be not going too far to say that, canvass the present day American scene as you will, there would be found no one so brilliantly equipped, from the dual standpoints of rich experience and literary attainments, as Louis Nizer, distinguished counselor and notable orator and toastmaster, to set down on paper this volume, "Thinking On Your Feet."

The author sub-titles his brainchild, "Adventures in Speaking." It is an apt choice, for, while as Bruce Barton's foreword points out it will prove of inestimable value to all those who must speak and desire to do so effectively, it is something far more than merely a splendid textbook for after dinner speakers and those whose pleasant task it is to present them. The average reader will peruse two highly entertaining parts—"Introductions and Thought Drops" and "Addresses and Thought Drops"—with zest and delight.

The character sketches embodied in the introductions are sheer delights. Mr. Nizer has the same deftness in etching characters which won such a wide reading audience for the late Elbert Hubbard a quarter century or so ago. Those whom he presents parade before you as essentially human. The procession is a dazzling one.—Einstein and Winchell, Dorothy Thompson and Harry Hirschfeld, Roxy and James J. Walker, among many others.

Of the addresses, beautifully written, each with the golden seal of sincerity, personal choices naturally will vary with the individual reader. Yet to this reviewer, the selections would be "The Spirit of '76 and '77" and "I Pity Germany." Not only are they excellent applications of the speech-making principles enunciated by Mr. Nizer, but they are literary gems.

Incidentally, not the least intriguing of the wealth of material at the reader's disposal are the "Thought Drops" which complement or supplement both introductions and addresses.

For those who seriously propose to develop natural talents as orators and after dinner speakers, the book's chapters devoted to technique must prove invaluable. What Mr. Nizer has to say about Speechgraph and Bookgraph will bear reading and re-reading. Especially this sentence from the latter:

"The thought is the precious metal when all else is washed away."

—BAHN.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 86

NEW YORK, WEDNESDAY, OCTOBER 30, 1940

TEN CENTS

DECREE HEARING ON NOV. 14

Wide Range of Arbitration Under Proposed Rules

Controversies Other Than Those Cited in Decree Can Be Submitted for Action

Settlement by arbitration of controversies other than those provided in the consent decree will be permitted, according to the Rules of Arbitration and Appeals made public yesterday.

Rules point out that such disputes may be submitted to the arbitration system provided at least one of the parties is a distributor defendant as defined in the decree and a submission—
(Continued on Page 12)

Warners Set Basic Plans for 1941-42

Basic plans for the 1941-42 Warner production program were completed in New York yesterday, it was learned as Jack L. Warner, company's studio chief, terminated a New York visit and departed for the West Coast.

Warner, during his fortnight stay
(Continued on Page 5)

NBC, Pix Execs. Confer on Short-Wave Activities

NBC officials met yesterday with representatives of four majors and the MPPDA to determine international short wave activities by the
(Continued on Page 12)

Hanbury's Air Raid Shelter Undamaged

Ironical sidelight on the death of Ralph Hanbury, RKO's late managing director in Great Britain, was revealed yesterday when word reached here that the air raid shelter in the garden of his home was undamaged by the bomb which hit the house and took his life as well as those of several members of his family. It was also learned that Earle St. John, former Paramount theater head in England who went over to Odeon when Para. made its deal with English theater circuit, had moved out of the house one week to the day before the bomb struck. Hanbury had moved in Monday of that week.

EQUITY DECREE MAJOR POINTS

"Blind-Selling" Ended; "Block-Booking" is Modified

What the consent decree does:
Terminates "blind-selling."
Drastically modifies "block-booking."

Establishes a complete system for the arbitration by non-industry arbitrators of exhibitor-distributor disputes. (In this respect, the decree is without precedent).

Makes trade showings in respective exchange districts obligatory.

Prohibits the licensing of more than five pictures in a single group.

Permits the selling by distributor of more than one block of pictures at a time at the distributor's option.

(The blocks of five and trade showing provisions become effective Sept. 1, 1941).

Leaves the matter of cancellation rights to be determined by exhibitors and distributors.

Extends to exhibitors the right to cancel offensive pictures.

Binds the Government not to seek divorce—
(Continued on Page 5)

20th-Fox Drafts to Get Up to 4 Weeks' Salary

Policy for employees of 20th-Fox called into the U. S. armed services was announced yesterday by Prexy Sidney R. Kent. All employees with a year or more of service will be granted a year's leave of absence without pay, provided, however, that upon the expiration of service, such
(Continued on Page 4)

Industry Will Ask U. S. Unity Post-Election Trailer in 7,000 Theaters

Para.'s Astoria, London Suburban, Hit by Bomb

Word was received yesterday by the Paramount foreign department that the Astoria Theater, one of the houses taken over by Odeon in the Para-Odeon theater deal, had been badly damaged by a bomb. House,
(Continued on Page 5)

51-Page Document and 14-Page Rules of Arbitration Formally Presented to Court; Trial of Suit Against "Little Three" Expected to be Deferred Until April

The Government's anti-trust suit against the Big Five—Metro, Warners, Twentieth Century-Fox, Paramount and RKO—finally turned the legal corner and moved rapidly towards the Exit sign yesterday.

RKO English Biz Up 10% Despite Bombing

Despite terrific bombardments from the air, RKO's billings in England last week were 10 per cent ahead of normal, according to cabled reports received by Phil Reisman, vice-president in charge of foreign distribution. In fact, Reisman declared, figures during recent weeks show that billings haven't been off more than 5 per cent from normal.

Reisman said that no successor to Ralph Hanbury, U. K. manager,
(Continued on Page 4)

Show Box, Inc., New Coin Picture Company, Formed

A new automatic slot movie company, Show Box, Inc., has been formed by Mitchell Hamilton, advertising and artists' representative in Hollywood; Irving Starr, an independent producer, and Murray Briskin, a theater operator. Bell & Howell are manufacturing the projection sound equipment.

Show Box, Inc., has opened tem—
(Continued on Page 4)

James Hayes, Special Assistant Attorney General, on behalf of the D of J formally announced at a hearing before Federal Judge Henry W. Goddard that the Government had reached an agreement with the five negotiating companies on a proposed consent decree.

With the announcement, a copy of the document, covering 51 pages, was handed up to Judge Goddard,
(Continued on Page 4)

D of J Will Check Decree's Operation

The Department of Justice will "keep a constant check on the operation of the decree," and to that end, will establish a special unit in the Anti-trust Division, headed by Assistant Attorney General Thurman W. Arnold, "to keep in touch with"
(Continued on Page 5)

Loew Theaters in Drive For Big Biz on Para. Pix

Paramount product to play the Loew theaters in the metropolitan area will be pushed by a concerted drive for maximum grosses. Plans for the launching of the campaign
(Continued on Page 4)

Metropolitan Tele Asks N. Y. Station

Washington Bur., THE FILM DAILY
Washington—Metropolitan Television, Inc., New York City, yesterday filed an application with the FCC for a construction permit for a new television broadcast station. The proposed tele station will be on channel No. 8 (62,000-68,000 kilocycles, power to 250 watts both visual and aural).

THE **Jilm**
DAILY

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JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilks, 6425 Hollywood Blvd. Phone Granite 6607. LONDON—Ernest W. Friedman, The Film Rent, 127-133 Wardour St., W. 1. PARIS—Y. A. Harle, La cinematographie Francaise, 29 Rue Maroulan (12). MEXICO CITY—Marco Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Tuesday, Oct. 29)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	8 1/4	8 1/4	8 1/4	— 1/8
Col. Pict. vtc. (2 1/2%)	5	5	5	—
Columbia Pict. pfd.	20 1/2	20 1/2	20 1/2	—
Con. Fm. Ind.	8 1/2	8 1/4	8 1/4	— 1/8
Con. Fm. ind. pfd.	134	133	134	+
East. Kodak	10 1/2	10 1/2	10 1/2	— 1/8
Gen. Th. Eq.	11	11	11	—
Loew's, Inc.	27	26 3/4	27	+ 1/4
do pfd.	8 1/2	8 1/4	8 1/4	— 1/8
Paramount	8 1/2	8 1/4	8 1/4	— 1/8
Para. 1st pfd.	5 1/2	5 1/2	5 1/2	— 1/8
Para. 2nd pfd.	9 1/2	9 1/2	9 1/2	— 1/8
Para. Film	10 1/2	10 1/2	10 1/2	— 1/8
RKO	2 3/4	2 3/4	2 3/4	— 1/8
20th Century-Fox	6	5 3/4	5 7/8	—
20th Century-Fox pfd.	8 1/4	8 1/4	8 1/4	— 1/8
Univ. Pict. pfd.	8 1/4	8 1/4	8 1/4	— 1/8
Warner Bros.	2 1/2	2 1/2	2 1/2	—
do pfd.	38	38	38	— 1/8

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4 102 3/4	102 3/4	102 3/4	+	1/4
Loew's deb. 3 1/2 46				
Para. B way 3 1/2 55				
Para. Pict. 6 5/8				
Para. Pict. cv. 3 1/4 47				
Warner Bros. deb. 6 1/4 86	86	86		

NEW YORK CURB MARKET

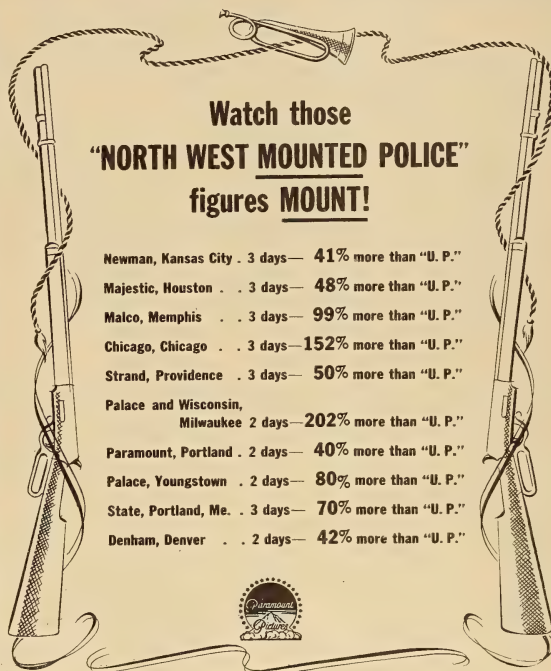
Monogram Pict.				
Sonotone Corp.				
Technicolor	9	8 1/2	8 1/2	— 5/8
Trans-Lux				
Universal Corp. vtc.				
Universal Pict.				

N. Y. OVER-THE-COUNTER SECURITIES

	Bid	Asked
Pathe Film 7 pfd.		
Fox Thea. Office Bldg. 1st '46		
Loew's Thea. Realty 65 1st '47		
Met. Playhouse, Inc. 2nd deb. '45	67	70
Rox Thea. Bldg. 4s 1st '57	62	64

UA Chi. Luncheon for Chaplin

Chicago—United Artists will give a luncheon for Charlie Chaplin today at the Blackstone Hotel. Chaplin will make a personal appearance at the premiere of "The Great Dictator" tomorrow night.



Watch those "NORTH WEST MOUNTED POLICE" figures MOUNT!

Newman, Kansas City . . . 3 days—	41% more than "U. P."
Majestic, Houston . . . 3 days—	48% more than "U. P."
Malco, Memphis . . . 3 days—	99% more than "U. P."
Chicago, Chicago . . . 3 days—	152% more than "U. P."
Strand, Providence . . . 3 days—	50% more than "U. P."
Palace and Wisconsin, Milwaukee 2 days—	202% more than "U. P."
Paramount, Portland . . . 2 days—	40% more than "U. P."
Palace, Youngstown . . . 2 days—	80% more than "U. P."
State, Portland, Me. . . 3 days—	70% more than "U. P."
Denham, Denver . . . 2 days—	42% more than "U. P."



"Ramparts" Passed by Pa. Censors After Deletions

Philadelphia—With deletions said to account for some 70 seconds of running time, M of T's "The Ramparts We Watch," distributed by RKO, has been passed by the Pennsylvania State Board of Censors. Board, after okaying the feature, had reversed its action following the insertion of the Nazi-made "Baptism of Fire" footage. An appeal from a lower court order upholding the censors was withdrawn late last week. Feature, said to be "substantially complete," reopens in Harrisburg and Reading Wednesday.

Next Step in Sheridan Suspension Up to Star

Despite published stories that Warners have made overtures to Ann Sheridan, now on the suspended list following differences over a studio assignment, status quo applies to the actress's case, sources close to Warners said yesterday.

It was pointed out that Miss Sheridan's suspension was in line with the terms of her contract, and that the next move is up to her. Suspension will be lifted when she reports for work, but Warners have not made, nor do they plan to make, any new offers.

Adolph Zukor Addresses Paramount Pep Club

First of a series of talks sponsored by the Paramount Pep Club's educational committee was held last night in the clubrooms of the home office. Principal speaker was Adolph Zukor, chairman of Paramount's board, who predicted greater progress for the company due to the capabilities of President Barney Balaban in New York and Frank Freeman heading the studios, which he implied was an unbeatable combination.

Other speakers were Austin Keough, general counsel, Prof. C. R. Richard of New York University, J. S. List, noted psychologist, and Boris Morros, producer. Arthur Israel, Pep Club president, presided. Agnes Mengel headed arrangements.

Sears on Extended Trip To Warner Exchanges

Grad Sears, Warner sales chief, leaves New York the middle of next week on an extended tour of the company's exchanges, largely in the South and West.

Sears will be in the field from six to eight weeks, his itinerary winding up with a visit to the Burbank studio.

COMING and GOING

HERMAN WOBBER, general manager of distribution for 20th-Fox, leaves tonight for Cincinnati to attend the premiere there Friday of "The Mark Of Zorro," going from there to the Coast.

GRAD SEARS, distribution chieftain for Warners, leaves New York the middle of next week for an extended tour of the company's branches.

CHARLES EINFELD, Warner ad. and pub. director, leaves for the Coast Friday. He will return here in mid-January.

JAMES R. GRAINGER, Republic presy, is in Cincinnati and will return to New York the latter part of this week.

CHARLES E. "CHICK" LEWIS, publisher of Showmen's Trade Review, left last night for Columbus, Ohio.

BEN KALMENSEN, of Warners, is touring several exchanges in his territory.

LOU SMITH, of Columbia Pictures, is at the Warwick.

EDMUND LOWE is expected here from the Coast in the near future.

HECTOR S. DODS, film editor for 20th-Fox, is at the Waldorf.

ARTHUR KELLY, sales chief for United Artists, is in Columbus, Ohio.

PRISCILLA LANE will come here next week from the Coast for a p.a. at the Strand.

HENRY KING, director, is due here this week or next from the Coast on the first lap of a two months' vacation, with Florida his next scheduled stop.

CHARLES LAUGHTON terminates his p.a. tour in Seattle tomorrow, returning to Hollywood.

HARRY COHN has arrived in New York from the Coast.

ITA of Ontario Hears Of "Satisfactory Year"

Toronto — A "satisfactory year" for the ITA of Ontario was presented to its members by the annual reports made at the well-attended annual meeting of the organization at the King Edward Hotel here yesterday. Routine matters were up for discussion, but no resolutions were adopted.

Ten members were elected to form the Association's executive committee and these members will meet shortly to name the ITA officers for the ensuing year. The executive committee for the year 1940-41 will consist of H. Alexander, N. A. Taylor, Thos. Walton, Myer Axler, A. Polakoff, H. Freedman, S. Ulster, B. Ulster, F. C. Brown and H. Firestone.

THE SHORTEST DISTANCE BETWEEN TWO POINTS IS Postal Telegraph



CHARGES FOR TELEGRAMS
'PHONED IN APPEAR ON YOUR
TELEPHONE BILL.



**ONE THING
THAT NEVER
CHANGES!**

Court Sets Decree Hearing Nov. 14

(Continued from Page 1)

together with the Rules of Arbitration, a separate 14-page draft.

Exhibitors to be Heard

At the Government's request, the Court set Nov. 14 as the date when exhibitors and all other interested parties may be heard on the decree. The hearing will be held in Room 1105 of the Federal Court House at 10:30 a.m.

Nov. 14 was also fixed as the adjourned date of the trial of the suit against United Artists, Universal and Columbia. The proceedings yesterday occupied about five minutes.

It is understood, however, that the latter postponement is merely formal and that there is little possibility of its actual start before April, 1941.

Frohlich to Say "Plenty"

Louis Frohlich, counsel for Columbia, requested a copy of the decree and announced that Columbia would oppose its approval. Frohlich stated that he would have "plenty to say in opposition to the decree."

Jacob Schecter, attorney for Alfred of New York, asked Judge Goddard whether his organization would be heard. In response, he was told that "the Court will hear everybody who has an interest in this case."

Show Box, Inc., New Coin Picture Company, Formed

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porary offices in Essex House where demonstrations of the machine are being made and franchises arranged. A franchise sales promotion campaign is now under way, the organizers state, on both a state-wide and territorial basis.

Chi. Raises \$11,000 for Fund

Chicago—The film industry in Chicago has raised \$11,000 for the Community Fund. Pix drive is still continuing under the direction of Jack Kirsch.



● ● ● COMEDY will be chief ingredient.....of forthcoming "Night of Stars".....to be held in Madison Sq. Garden on Nov. 27, for refugee aid.....That the rafters of the great auditorium will ring mightily with mirth.....is obvious, via acceptances already dispatched to the committee-in-charge.....by Eddie Cantor, George Jessel, Milton Berle, Henny Youngman, Jay C. Flippen, Bert Lahr.....Victor Moore, William Gaxton, Danny Kaye, Red Skelton, Benny Fields, and Block & Sully.....

● ● ● MICHAEL Hoffay.....RKO Radio's manager of foreign publicity.....rounded-up an impressive array of foreign press correspondents.....for the Music Hall projection room screening of "Too Many Girls".....and the ensuing cocktail fete in the Bacardi Room.....of the Empire State Building yesterday.....—which function had as honor guest the Cuban pic luminary, Desi Arnaz.....At the skyscraper oasis were by no means too many girls.....since the fair sex was represented by the Misses Olga Andre, Margarita Deschamps, Charlotte Conrad, Hortensia Calper and Rosita Moreno.....and Mrs. Maria M. Garrett, Mrs. Eugenia Soderberg and Mrs. Mary Spaulding.....The male contingent consisted of W. T. Albert, Mario P. de Costa, Emilio Escalante, Dr. Des Gabor.....Henry E. Gellerman, Arthur Lurie, O. D'Aguiar Mendonca, Lucio Montero Ivellez, Aurelio Pego, F. Garcia Ortega.....Antulio Rodriguez, Rafael Rasch Isla, Rodger L. Simons, Alejandro Sur, Roberto Socas, Jay Tuthill.....Jorge A. Losada, Fred Kruetzstein, Jack Clark, George Abbott and Ken (MPPDA) Clark.....

● ● ● LAST night brought forth the colorful American premiere.....of "Mayerling to Sarajevo".....in the Little Carnegie Playhouse.....Opus is sponsored by a group of distinguished folk.....headed by Archduke Otto of Hapsburg.....who personally appeared at the theater.....Receipts from the debut performance went to Bundles for Britain, Inc.....Film is the last French attraction produced in pre-Nazi France.....One print was smuggled out of Paris when the Nazis marched in last June 12.....Leo Films, Inc., has signed a contract with Fine Arts Theater in Boston.....for "Mayerling to Sarajevo" to follow the current run there.....of "The Baker's Wife."

● ● ● AN extra-special cinematic atmosphere.....prevailed yes'day in the Hotel Astor's Hunting Room during the lunch hour.....for Lynn Farnol hosted Louella O. Parsons.....while around the festive board were Chester B. Bahn, editor of THE FILM DAILY; Colvin Brown, representing the Quigley Publications; John Flinn, Variety; Red Kann, Box Office.....Chick Lewis, Showmen's Trade Review; Jack Harrison, Hollywood Reporter; and Lou Mentlik of Jay Emanuel Publications.....The luncheon was an ultra-pleasant affair.....Louella recalled her local days before becoming a trade press alumna.....She and her troupe.....comprising Binnie Barnes, Ilona Massey, Sabu, Brenda Joyce, Robert Stack, Bill Orr and Mike Frankovich.....now at Loew's State.....will fill engagements at theaters during Nov. and Dec.....and arrive out Hollywood way in time for Xmas.



RKO English Biz Up 10% Despite Bombing

(Continued from Page 1)

who was killed in an air raid has been named. Temporarily, at least, RKO's operations will be co-managed by George Dawson, comptroller, and E. Simon, sales manager, with E. W. Holme, chairman of the board.

20th-Fox Draitees to Get Up to 4 Weeks' Salary

(Continued from Page 1)

employees shall promptly apply for resumption of employment.

It was stated that any group insurance now carried by the company on the life of such an employee would continue to be carried, and that the cost of any group insurance now borne by such an employee through the company shall be advanced by the company.

Finally, it was announced that upon the commencement of such a leave of absence each such employee will be paid an amount equal to not in excess of four weeks' salary, the number of weeks measuring such payment to be at the discretion of company officers.

Loew Theaters in Drive For Big Biz on Para. Pix

(Continued from Page 1)

were discussed Monday night at a meeting of 150 Loew executives and Paramount sales heads in the Ziegfeld Theater.

Group was addressed by Charles Moskowitz, J. J. Unger, Cecil B. DeMille, Boris Morros, Oscar Doob, Alex Moss and Sid Mesibov. A buffet supper and the screening of "Northwest Mounted Police" were other highlights of the evening.

Draft Hits RKO's A. Ferguson

Only RKO employee whose number had been drawn up to a late hour in yesterday's selective draft was Austin Ferguson of the theater and editing department. His number was 120. Ferguson has been with the company four years. His home is in Queens Village.

Harman-y Injected In Present Campaign

Coat labels of gents and the garbs of gals are for campaign purposes,—so figured Homer H. Harman, the local Roxey Theater's publicity solon. This neat deduction led him to do a bit of promotion for that pic palace. So currently you'll see neat red-white-and-blue buttons on many of the said labels and garbs. No, the 11" celluloid circles don't boom F. D. R. or W. L. W., but read: "All New York Goes to the Roxey." The button-fanatical public hereabouts likes the Harman stunt so much that a new supply has been ordered to fill demand. Just a note of Harman-y in the hot political battle!

U.S. to Keep Constant Check on Decree Operation

Special Unit Will Be Established in Anti-Trust Division for That Purpose

(Continued from Page 1)

the operation of the decree and to handle complaints with respect to it."

This was disclosed by the Department in its press statement on the impending settlement of the New York equity suit against the "Big Five," issued following yesterday's hearing before Federal Judge Goddard.

The statement, some 10 pages, summarized the provisions of the proposed decree and the Rules of Arbitration, and cited "benefits to be anticipated." With reference to the latter, the statement said:

Anticipated Benefits

"It is reasonably to be expected that the provisions of the decree as to trade showing and sales in small groups will result in an improvement in the quality of pictures as well as in greater opportunity for local community tastes to be reflected in the pictures selected by exhibitors. This new method of selling should open to independent producers a market now closed to them under the system of season block-booking. In addition, exhibitors will have greater and more frequent opportunities to compete for pictures.

"Although the method of selling provided for in the decree is new and untried in the motion picture industry, it is believed that it will be of benefit to exhibitors and distributors, as well as to the public. Whether or not the new method of selling will operate effectively can only be determined after a fair trial and that is provided for by the decree."

Other salient sections of the statement follow:

Divorcement Action Deferred

"In addition to revising selling practices of the five signatory companies, the decree sets up a system for the arbitration of disputes between exhibitors and distributors to be administered by the American Arbitration Association. In order to give this arbitration system a fair trial, the Government agrees not to seek divorcement or dissolution of production and distribution in the industry for a period of three years. During this period the signatory companies agree not to engage in any general program of expansion of theater holdings and to maintain the status quo so far as is practicable.

Blind-Selling and Block-Booking

"The decree strikes at two selling practices in the motion picture industry which have long been under attack by exhibitor organizations, as well as parent-teacher associations and other public groups, i.e., block-booking and blind-selling. Various proposals to eliminate these practices have been suggested from time to time and legislation to that end has been under consideration by Congress.

"Under the present practice at the start of each motion picture season an entire year's supply of pictures is sold at one time. The contract is executed before production has started on the majority of pictures covered by it. An exhibitor must rely on what is at best but a sketchy outline of the pictures the distributor intends to produce. This selling practice is commonly known as blind-selling. Not infrequently the completed picture differs materially, with respect to story, cast of characters and quality, from the outline previously presented to the exhibitor. As a result, an exhibitor often finds himself in a position

MAJOR POINTS IN EQUITY DECREE

"Blind-Selling" is Ended and "Block-Booking" Modified; Trade Showing is Made Obligatory

(Continued from Page 1)

ment or dissolution of production and distribution for a three-year period.

Binds the five signatories not to engage in any general program of expansion of theater holdings and to maintain the status quo so far as is practicable.

Provides for the termination of the trade showing and blocks of five provisions in the event the Government has not succeeded in procuring a decree requiring the three non-consenting companies—UA, Universal and Columbia—to comply with similar provisions

by June 1, 1942.

Assures all other provisions will remain in effect regardless of the outcome of the suit against the "Little Three."

Provides for continued Department of Justice check on the decree's operation, the Department establishing a special unit to handle complaints, etc.

Retains jurisdiction of cause enabling, among other things, any of the parties to apply to the Court at any time for a modification in order to conform it to any subsequent Congressional act.

New Kyser Pix Opens At Roxy, November 14

Kay Kyser's second RKO Radio picture, "You'll Find Out," will have its world premiere at the Roxy Theater in New York City on Thursday, Nov. 14, with the star and his entire musical organization appearing in person in a special one-week engagement.

To Count Equity Sun. Pix Votes

Ballots on the Equity referendum on Sunday legitimate shows in New York will be counted tomorrow.

where he must play a picture which he would never have licensed if he had seen it.

Trade Showing

"Blind-selling is prohibited by the decree. Pictures must be completed and exhibited to the trade before they can be sold or offered for sale. The defendant companies are required to trade show their pictures in each of their respective exchange districts. Thus every exhibitor is given an opportunity to see the pictures before he buys them.

"Under existing practice, each distributor tries to sell as many pictures at one time as it possibly can and requires exhibitors to contract for all or substantially all of the season's output in order to get any of its pictures. As many as fifty pictures may be included in a single block. This is the practice that is known as block-booking.

"As a result of this practice, exhibitors have practically no opportunity to select pictures based on the local tastes of the communities which they serve. In addition, the playing time of theaters is filled by pictures bought in large blocks from the defendant companies and exhibitors have little screen time available for showing the product of independent producers.

Selling in Blocks of Five

"The decree prohibits the licensing of more than five pictures in a single group. It does not prohibit the licensing of less than five pictures in a single group; distributors are free to sell pictures one at a time or in groups of two, three or four. Although distributors may sell more than one group of five pictures at a time, they may not condition the sale of one group of pictures on the sale of another picture or group of pictures.

"Under the method of selling prescribed by the decree, if an exhibitor finds that a particular group of pictures contains some that are objectionable, he can request that these pictures be eliminated or that other pictures be substituted for them. If the distributor refuses to grant his request, the exhibitor is in a position to reject the group without jeopardizing his entire year's supply of films.

"The decree neither requires distributors to grant nor prohibits them from granting to exhibitors the privilege of cancelling one or more pictures in a given group. As a result of the process of bargaining between distributors and exhibitors, cancellation privileges in varying degrees have been granted by dis-

Frank Perry to Film Life Of Charles M. Schwab

West Coast Bureau of THE FILM DAILY

Hollywood—Frank Perry, nephew-in-law of the late Charles M. Schwab of Bethlehem Steel fame, is organizing an independent production unit to film the life of his uncle under title of "The Steel Master."

Perry has been quietly lining up star, writers and major release, and is now in New York on the deal. He will make a complete announcement of his organization upon his return to Hollywood.

tributors in the past though they have not been legally required to do so. Under the decree the parties are free to bargain with respect to cancellation as well as with respect to the particular pictures to be included in a given group.

Offensive Pictures

"Exhibitors are given the right to cancel any picture that is locally offensive on moral, religious or racial grounds.

"Because pictures to be released during the present selling season have already been contracted for, the provisions of the decree with respect to trade showing and sales in small blocks do not become effective until the opening of the new selling season on Sept. 1, 1941.

"Three of the companies that were named in the original complaint, namely, United Artists Corp., Universal Pictures Co., Inc., and Columbia Pictures Corp., have not joined in the decree. None of these companies owns any theaters. The case will proceed to trial against these three companies at a time to be fixed by the court. To protect the consenting defendants against the competitive advantages that the three non-consenting companies may enjoy if they are not required to conform their selling practices to the provision of the decree with respect to trade showing and sales in small groups, the decree provides for the termination of these provisions as against the five consenting companies in the event the Government has not succeeded in procuring a decree requiring the three non-consenting companies to comply with similar provisions by June 1, 1942. All of the other provisions of the decree remain in effect regardless of the outcome of the suit against the three non-consenting companies.

Continued D of J Supervision

"The Department proposes to keep a constant check on the operation of the decree. The records of the arbitration system are subject to inspection by the Department at all times, as are the records of the defendants relating to the operation of the decree. A unit will be established in the Anti-trust Division to keep in touch with the operation of the decree and to handle complaints with respect to it. As a result of the information thereby obtained, the Department will be in position to determine what further action, if any, need be taken at the end of the trial period."

Warners Set Basic Plans for 1941-42

(Continued from Page 1)

in the East, conferred here with Harry M. Warner, Albert Warner, Grad Sears and Charles Einfeld on the proposed lineup. The program is expected to be finalized in early January when further conferences will be held at the studio. Participating at that time, in addition to the executives mentioned, will be Hal B. Wallis.

Number of pictures to be made next season still remains to be determined. Among the governing factors will be the proposed consent decree ending the New York anti-trust suit against Warners, as well as four other majors. Provisions of the decree are being closely studied.

Einfeld, who has been in the East since the South Bend premiere of "Knute Rockne—All American," leaves for the Coast on Friday. He will return to New York in mid-January, immediately after the 1941-42 program is set.

Para's Astoria, London Suburban, Hit by Bomb

(Continued from Page 1)

which is said to be under repair, was in Brixton, a suburb of London.

Leicester Square, another Odeon house figuring in the deal, had its front badly damaged recently by a bomb that exploded in the street.

Argentina Turning Out Good Pix, Says Reisman

Argentina's film industry is making considerable progress in turning out good pictures, according to Phil Reisman, vice-president in charge of RKO's foreign distribution, who has just returned from South America. Two studios in the vicinity of Buenos Aires are well equipped to turn out good pictures and they are doing it, Reisman said.

Reisman, who attended RKO sales conventions in Buenos Aires and Rio de Janeiro, said that business in both Argentina and Brazil was running smoothly, although the diminished export business had had some effect on patronage.

Henry C. Wall Stricken

Rockingham, N. C. Henry C. Wall, 58, owner of the Richmond and Little theaters here, died of a heart attack. He was a former chairman of the board of county commissioners. Surviving are his widow and a sister.

Holloway Is First in Draft

West Coast Bureau of THE FILM DAILY

Hollywood—First actor's number called yesterday in the draft was that of Sterling Holloway.

THEATRE EXHIBITORS' CONSENT DECREE

Complete text of the draft of proposals for a consent decree in the New York equity suit follows:

UNITED STATES

—against—

PARAMOUNT PICTURES, INC., et al.
Defendants in Cause No. 10,000 for
Consent Decree

The United States of America having filed its Petition herein on July 20, 1938, and its Amended and Supplemental Complaint on January 1, 1940; the defendants: Paramount Pictures Inc.; Paramount Film Distributing Corporation; Loew's, Incorporated; Radio-Keith-Orpheum Corporation; RKO Radio Pictures, Inc.; Keith-Albee-Orpheum Corporation; RKO Proctor Corporation; RKO Midwest Corporation; Warner Bros. Pictures, Inc.; Vitaphone Corporation; Circuit Management Corporation; Twentieth Century-Fox Film Corporation; and National Theatre Corporation, having appeared and served and filed their answers to such Petition and to such Amended and Supplemental Complaint and having asserted the truth of their answers and their innocence of any violation of law; and no testimony having been taken, but each of the consenting defendants having consented to the entry of this decree and to any findings of fact, upon condition that neither such consent, nor this decree itself, nor the entry of this decree, nor any statement, provision or requirement contained in this decree, shall be or shall be construed as being (1) an admission or adjudication that the allegations of the petition or of the Amended and Supplemental Complaint, or any of them, are or is true, or that such defendants, or any one or more of them, have or has violated or are or is violating any statute or law, or (2) evidence that such allegations, or any of them, are or is true, or that such defendants, or any one or more of them, have or has violated any statute or law, or (3) an admission or adjudication that the doing of any of the acts or things hereinafter directed to be done would constitute a violation of any statute or law, and upon the further condition, hereinafter set forth, that the United States of America, by its counsel, having consented to the entry of this decree and to each and every provision thereof, on the conditions, and having moved the Court for the entry of this decree:

(The above named defendants are referred to hereinafter as the consenting defendants.)

WHEREFORE, IT IS ORDERED, ADJUDGED AND DECREED as follows:

JURISDICTION

I.
The Court has jurisdiction of the parties hereto; and for the purposes of this decree and of proceedings for the enforcement thereof, and for no other purpose, the Court has jurisdiction of the subject matter hereof and the complainant states a cause of action against the defendants under the Act of Congress of July 2, 1890 entitled "An Act to Protect Trade and Commerce Against Unlawful Restraints and Monopolies."

ENJOINMENT

II.
Each consenting defendant, its successors, officers, directors, agents and employees, and all persons and corporations acting under, through, or for it, hereby is and are enjoined from doing the acts prohibited by this decree, and is and are directed to do the acts thereby required.

TRADE SHOWS

III.
No consenting defendant engaged in the distribution of motion pictures (hereinafter referred to as a distributor defendant) shall license or offer for license a feature motion picture (hereinafter sometimes referred to as a feature) for public exhibition within the United States of America at which an admission fee is to be charged, until the feature has been "trade shown" within the exchange district in which the public exhibition is to be held. Every trade showing shall be preceded by a notice, published in a trade publication¹ having general circulation among exhibitors in such exchange district, which shall state the title of the pic-

ture and the date and the time when the place or places where it will be trade-shown.

(License means (as a verb) to make an agreement, or (as a noun) an agreement, by which a distributor grants the right to exhibit a motion picture in any theater engaged in the exhibition of motion pictures for profit.)
(A feature motion picture is a motion picture approximately 5,000 feet, or more, in length.)

(A trade showing is an exhibition of a feature at a theater or projection room for the benefit of exhibitors generally.)

(Each distributor defendant shall file with the Department of Justice a map of each of its exchange districts, showing the territorial limits thereof. Changes in the territorial limits of an exchange district shall be made only after two weeks' notice to the Department of Justice. References in this Section and in Sections II and IX hereof to exchange districts are to exchange districts of each distributor defendant, as construed from time to time.)

(Trade publication means a daily or weekly newspaper or magazine which is devoted primarily to news concerning the motion picture industry.)

(Exhibitor means any individual, partnership, unincorporated association or corporation engaged in the public exhibition of motion pictures in a theater or theaters for profit.)

BLOCKS OF 5

IV.

(a) No distributor defendant shall offer for license or shall license more than five features in a single group in offering its features for license to an exhibitor a distributor may change the combinations of features in groups as it may from time to time determine, and may license or offer for license as many groups of features as it may from time to time determine, provided that the license or offer for license of one group of features shall not be conditioned upon the licensing of another feature or group of features.

(b) No distributor defendant shall require an exhibitor to license short subjects, newsreels, trailers, or serials (hereinafter collectively referred to as shorts) as a condition of licensing features. No distributor defendant shall require an exhibitor to license reissues, westerns, or foreigns (hereinafter collectively referred to as foreigns) as a condition of licensing other features.

(Westerns are those western pictures which are not of the usual character and type of, and are inexpensively produced as compared with, the distributor's general line of feature.)

(Foreigns are feature pictures produced outside of the United States except such as are produced in the English language by the distributor or a subsidiary or affiliate thereof.)

Where a license has been entered into, controversies arising upon a complaint by an exhibitor that the licensing to him of one group of features was conditioned by the distributor upon the licensing of another feature or group of features or the licensing of shorts or foreigns shall be subject to arbitration. An exhibitor shall have no right to assert any such claim unless he shall have notified the distributor at its Home Office in writing of such claim and of the grounds thereof, not later than two days after receipt by the exhibitor of the distributor's notice to him of the exhibitor's signed application or applications for such features, shorts or foreigns. The power of the arbitrator in deciding any such controversy shall be limited to making (1) a finding as to whether or not the licensing of such features was so conditioned; and, if the finding be in the affirmative, (2) an award cancelling the license for (or to the extent that it may relate to) such other feature or group of features, or such shorts or foreigns.

(When, in any arbitration under this decree, the power of the arbitrator shall be limited to making a finding as to whether or not the complainant has not sustained his complaint, the arbitrator shall enter an award dismissing the complaint.)

Where no license has been entered into, controversies arising upon a complaint by an exhibitor that a distributor defendant has offered for license to him more than five features in a single group or that the

offer of a license to him of one group of features was conditioned upon the licensing of another feature or group of features, or the licensing of shorts or foreigns, shall be subject to arbitration. An exhibitor shall have no right to assert any claim that an offer so to license such features was so made or conditioned unless he shall have notified the distributor at its Home Office in writing of such claim and of the grounds thereof not later than five days after the exhibitor claimed the alleged offer. The power of the arbitrator in deciding any such controversy shall be limited to making (1) a finding as to whether or not the offer to license such features was so made or conditioned; and, if the finding be in the affirmative, (2) an award imposing upon the distributor making such offer a penalty in an amount not to exceed \$500.00. Such penalty shall be payable into the arbitration fund referred to in subdivision 8 of Section XXII hereof.

(See footnote 3 to this Section.)

LICENSES BY EXCHANGES

V.

No license for features to be exhibited in theaters located in one exchange district shall include theaters located in another exchange district. The licensing of features for exhibition in theaters located in one exchange district be conditioned upon the licensing of a feature or group of features for exhibition in theaters located in another exchange district.

(See footnote 4 to Section III.)

Controversies arising upon a complaint by an exhibitor thereby affected that the licensing by a distributor defendant of features for exhibition in theaters located in one exchange district was conditioned upon the licensing of a feature or group of features for exhibition in theaters located in another exchange district shall be subject to arbitration. The power of the arbitrator in deciding any such controversy shall be limited to making (1) a finding as to whether or not the licensing of features for exhibition in theaters located in one exchange district was so conditioned upon the licensing of a feature or group of features for exhibition in theaters located in another exchange district; and, if the finding be in the affirmative, (2) an award imposing upon the distributor defendant so licensing features a penalty in an amount not to exceed \$500.00, payable into the arbitration fund referred to in subdivision 8 of Section XXII hereof.

(See footnote 5 to Section III.)

NO LICENSING REFUSAL

VI.

No distributor defendant shall refuse to license its pictures for exhibition in an exhibitor's theater on some run to be designated by the distributor upon terms and conditions fixed by the distributor which are not calculated to defeat the purpose of this Section, if the exhibitor can satisfy reasonable minimum standards of theater operation and is reputable and responsible, unless the granting of a run on any terms to such exhibitor for said theater will have the effect of reducing the distributor's total film revenue in the competitive area in which such exhibitor's theater is located. Controversies arising upon a complaint by an exhibitor that, contrary to the provisions of this Section, a distributor defendant has refused so to license its pictures shall be subject to arbitration. The power of the arbitrator in deciding any such controversy shall be limited to making (1) a finding as to whether or not, contrary to the provisions of this Section, the distributor has refused to license its pictures to the complainant for exhibition in said theater; and, if the finding be in the affirmative, (2) an award directing the distributor to offer its pictures for license to the complainant for exhibition in said theater on a run to be designated by the distributor and upon terms and conditions fixed by the distributor which are not calculated to defeat the purpose of this Section. The burden of showing that granting a run on any terms to the complainant will have the effect of

reducing the distributor's total film revenue in the competitive area in which the complainant's theater is located shall be upon the distributor.

(See footnote 5 to Section IV.)

Any distributor defendant affected by such an arbitration may, at any further arbitration proceeding, to be relieved therefrom on the ground that since the making of the award the granting of a run in compliance therewith has had the effect of reducing the distributor's total film revenue in the competitive area in which the complainant's theater is located, and in the event that the arbitrator finds that the granting of a run in compliance with the award has had the effect of reducing the distributor's total film revenue in said area, he shall vacate the award.

(See footnote 3 to Section IV.)

CANCELLATION RIGHTS

VII.

Controversies arising upon the complaint of an exhibitor that a feature licensed to him by a distributor defendant for exhibition in a particular theater is generally offensive in the locality served by such theater on moral, religious or racial grounds shall be subject to arbitration. An exhibitor shall have no right to assert any such claim unless written notice of his election to cancel such feature, together with a statement of his reasons therefor, shall have been mailed to the distributor defendant at its Home Office not later than ten days after the receipt by the exhibitor of the distributor's written approval of the exhibitor's signed application for such feature. In such event the license in so far as it relates to the exhibition of such feature in the theater specified in the notice shall be deemed cancelled unless within five days after receipt of such notice, the distributor shall have mailed to the exhibitor a notice in writing of its denial of such claim and of its intention to arbitrate the controversy. The power of the arbitrator in deciding any such controversy shall be limited to making (1) a finding as to whether or not the feature is generally offensive in the locality served by the exhibitor's theater on moral, religious or racial grounds; and, if the finding be in the affirmative, (2) an award cancelling the license in so far as it relates to the exhibition of such feature in said theater.

(See footnote 3 to Section IV.)

CLEARANCE

VIII.

Controversies arising upon the complaint of an exhibitor that the clearance¹ applicable to his theater is unreasonable shall be subject to arbitration under the following provisions:

(Clearance means the period of time, fixed by agreement between a distributor and an exhibitor, prior to the expiration of which a feature licensed for prior exhibition in a theater may not be exhibited in another theater or theaters.)

It is recognized that clearance, reasonable as to time and area, is essential in the distribution and exhibition of motion pictures.

In determining whether any clearance complained of is unreasonable, the arbitrator shall take into consideration the following factors and accord to them the importance and weight to which each is entitled, regardless of the order in which the factors are listed:

- (1) The historical development of clearance in the particular area wherein the theaters involved are located;
- (2) The admission prices of the theaters involved;
- (3) The character and location of the theaters involved, including size, type of entertainment, appointments, transfer facilities, etc.
- (4) The policy of operation of the theaters involved, such as the showing of double features, gift nights, give-aways, premiums, cut rate tickets, lotteries, etc.
- (5) The rental terms and license fees paid by the theaters involved and the revenues derived of the exhibitor defendant from such theaters.

Court Has Jurisdiction Over Decree Enforcement

FORBIDS WITHHOLDING AVAILABLE PRINTS

(6) The extent to which the theaters involved complete with each other for patronage; and

(7) All other business considerations, except that the arbitrator shall disregard the fact that the theater involved is affiliated with a distributor or with a circuit of theaters.

The power of the arbitrator in deciding any such controversy shall be limited to making (1) a finding as to whether or not the clearance complained of is unreasonable; and, if the finding be in the affirmative, (2) an award fixing the maximum clearance between the theaters involved which may be granted in licenses thereafter entered into by the distributor defendant which is a party to the controversy. Subject to the provisions of Section XVII hereof, the award may fix such maximum clearance under any then existing franchise or any license entered into pursuant to such franchise between such distributor defendant and any other party bound by this decree.

(See footnote 3 to Section IV.)

Any distributor defendant or any exhibitor affected by such an award may institute a further arbitration proceeding for a modification thereof upon the ground that since the making of the award the conditions with respect to the theaters involved have been so changed as to warrant a modification, in the event that the arbitrator finds that there has been such change, he shall make a redetermination of the maximum clearance.

(See footnote 3 to Section IV.)

Nothing contained in this Section shall be deemed to restrict, and no award made in any arbitration under this Section shall restrict, the exhibitor's right to license for any theater any run which he is able to negotiate with any distributor, nor the distributor's right to license for any theater any run which it desires to grant.

Nothing contained in this Section shall award hereafter entered in any arbitration in accordance with its provisions shall apply to licensing the exhibition of special features, provided such special feature is licensed under an exhibition contract applicable only thereto, or to the right of a distributor defendant to include in such contract and to make a part thereof such special terms and conditions, including such special clearance provision or provisions, as may be deemed proper, and to enforce for and in connection with the exhibition of such special feature.

(For the purposes of this Section, a special feature means a feature which for a period of time is exhibited at generally advanced first-run admission prices.)

BOOKING PRINTS

IX.

In booking prints for exhibition by exhibitors competing on the same run in the same exchange district, a distributor defendant shall not withhold delivery of prints available in its exchange from one exhibitor in order to give a competing exhibitor a prior playing date not provided for in its license. It is recognized that distributors must be permitted discretion in the ordinary course of booking and distributing films in an exchange district when too few prints are available in the exchange for the playing date desired by two or more theaters; in such cases this Section shall have no application.

(See footnote 4 to Section III.)

Violations of this Section shall be subject to arbitration and, if the arbitrator finds that the distributor complained against has pursued a policy of withholding available prints from the complaining exhibitor in violation of this Section, he shall enter an award directing the distributor to discontinue such policy.

(See footnote 3 to Section IV.)

REFUSAL TO LICENSE

X.

A. Controversies arising upon a com-

plaint by an independent exhibitor that a distributor defendant has arbitrarily refused to license its features for exhibition on the run requested by said exhibitor in one of said exhibitor's theaters which was in existence or which represented the continued existence at the date of this decree shall be subject to arbitration.

(An independent exhibitor, as used in this Section, is one wholly independent of any circuit of more than five theaters and not affiliated either by stock ownership, common ownership, common buying or otherwise with a circuit of more than five theaters and whose license is not negotiated by a buying combine or common buying agent negotiating for more than five theaters.)

(A theater shall not be deemed to have replaced such an existing theater unless erected in the same neighborhood as one which was destroyed or permanently abandoned as a theater, for the purpose of succeeding to its patronage, and with a seating capacity not more than 25 per cent greater than that of the theater replaced.)

B. In any such arbitration no award shall be made against a distributor defendant unless the arbitrator shall first find the following facts:

(1) The complainant is an independent exhibitor and the theater operated by him and specified in his complaint was in existence at the date of the decree or replaced such a theater; and

(2) Such refusal of the distributor to license its features for exhibition in the complainant's theater or the run requested by the complainant continued during a period of not less than three successive months; and

(3) The distributor during such period has licensed the features requested by the complainant on the run requested by him to a theater (sometimes hereinafter referred to as a circuit theater) which was in competition with the theater specified in the complaint and which was a component of a circuit of not less than 15 theaters or which was affiliated either by stock ownership, common ownership, common buying or otherwise with a circuit of not less than 15 theaters; and

(4) The complainant's theater has not available to it features sufficient in nature and quantity to enable it to operate on the run requested by the complainant; and

(5) (a) Subsequent to July 20, 1935 and prior to July 20, 1940 the complainant operated the theater specified in his complaint on the same run as or on an earlier run than that enjoyed by the circuit theater specified in the complaint; or

(b) Subsequent to July 20, 1940 and during the two consecutive motion picture seasons^(A) immediately preceding the filing of the complaint, the complainant operated the theater specified in his complaint on the same run as or on an earlier run than that enjoyed by the circuit theater specified in the complaint and during such period exhibited on such run substantially all the features released during such period by the distributor complained against; or

(A motion picture season means the period from September 1 of one year to August 31 of the next year.)

(c) Subsequent to July 20, 1935 and prior to July 20, 1940 the complainant desired in writing to license the theater specified in his complaint from the distributor complained against on the same run as or on an earlier run than that enjoyed by the circuit theater specified in the complaint; or the complainant had filed with a Local Clearance and Zoning Board or a Local Grievance Board under the Code of Fair Competition for the Motion Picture Industry approved pursuant to the National Industrial Recovery Act such a complaint which was not finally disposed of by administrative decision under said Code prior to May 27, 1935; or

(Demands in writing shall be deemed to include complaints in writing to the Department of Justice.)

(d) The complainant operated the theater specified in his complaint for at least one year prior to the entry of this decree and subsequent to July 20, 1935 and prior to July 20, 1940 a prior operator of said theater had demanded in writing the features from the distributor complained against on the same run as or on an earlier run than that enjoyed by the circuit theater specified in the complaint; or the complainant had filed with a Local Clearance and Zoning Board or a Local Grievance Board under the Code of Fair Competition for the Motion Picture Industry approved pursuant to the National Industrial Recovery Act such a complaint which was not finally disposed of by administrative decision under said Code prior to May 27, 1935; and

(See footnote 4 to this Section.)

(6) Such refusal to license the exhibition of said features in the complainant's theater in his complaint was in fact because the theater licensed to exhibit them on the run requested by the complainant was a circuit theater.

It is determined that whether the exhibitor's complaint is established by the evidence, the arbitrator shall take into consideration, among other things, the following factors in awarding to them the importance and weight to which each is entitled, regardless of the order in which they are listed: the terms, if any, offered in respect of each of the two competing theaters; the seating capacity of each of said theaters; the capacity of each for producing revenue for the distributor; the character, appearance and content of each of such features; the character, equipment and conveniences; the location of each of said theaters; the character and extent of the area and population each serves; the competitive conditions in the area in which they are located; their comparative suitability for exhibition of the distributor's features on the run requested; the character and ability of the exhibitor operating each and his reputation generally in the industry and in the community for showmanship, honesty and fair dealing; the policy under which each of the theaters has been operated and the policy under which the complainant proposes to operate his said theater if he complies with the run requested by the distributor; the responsibility of the exhibitor operating each of said theaters; and the distributor's prior relations with each of the two theaters involved and with their owners and operators and any equities arising therefrom.

(In considering this factor in situations where the exhibitor customarily exhibits features in two or more theaters on the same run in the same situation as set by contracting for groups of features on an "or" basis (i.e., for exhibition at one of two or more specified theaters) all of such theaters may be considered collectively as a unit.)

D. If in any such arbitration the arbitrator finds for the complainant, he may enter an award against the distributor which shall not affect the license to exhibit any feature then under license to the circuit theater but which shall prohibit such distributor from thereafter licensing its features for exhibition either in the circuit theater specified in the complaint on the run requested by the complainant, or in the complainant's theater specified in the complaint, on such run, otherwise than by a separate contract or agreement which shall not be a part of any contract or agreement for the licensing of features for exhibition in any other theater or conditioned upon the licensing of features for exhibition in any other theater.

E. After a final award in favor of a complaining exhibitor has been made under this Section, such exhibitor may institute a further arbitration proceeding (to be heard before the arbitrator who entered the original award, if available) upon the ground that such award has not been complied with in good faith by the distributor against which it was entered. If any such proceeding the arbitrator shall find that the distributor has not complied in good faith with the original award the arbitrator may award damages to the exhibitor for loss resulting from the distributor's failure to comply with the original award but any such

award of damages shall be purely compensatory.

(See footnote 3 to Section IV.)

Any further arbitration proceeding for an award of damages for violation of the original award must be commenced within sixty days after such violation has occurred, by filing a statement specifying the facts constituting the alleged violation for which damages are sought and the exhibitor's alleged damages resulting from each such alleged violation. No award of damages shall be made in any such proceeding any violation of the original award not occurring within said sixty-day period, but prior violations may, in any such proceeding, be considered by the arbitrator as evidence bearing upon the question of the distributor's good faith.

ACQUIRING THEATERS

XI.

(1) For a period of three years after the entry of the decree herein each of the consenting defendants will notify the Department of Justice immediately of any legally binding commitment for the acquisition by it of any additional theater or theaters.

(2) During such period each such defendant will also report to the Department of Justice on or before the tenth day of each month the changes in its theater position, if any, that have occurred during the preceding month, as follows, together with a statement of the reasons for such changes:

- (a) Theaters contracted to be built, or the construction of which is in progress;
- (b) Theaters lost or disposed of;
- (c) Theaters acquired;
- (d) Interests in theaters acquired, with a statement of the nature and extent of such interests.

(The notification and report shall include such continuing changes as may have been made by corporations not parties to this decree which are controlled by such defendant. They shall also include such commitments or changes as may have been made by corporations in which such defendant owns a financial interest but which it does not control, if such defendant has received knowledge of such commitments or changes. Each defendant will request such corporations to notify it immediately of any such commitment or change.)

(3) If upon receipt of such information the Department of Justice requests any such defendant to furnish further information with respect to any of the above transactions in which it is involved, such defendant will make a reasonable effort to supply such information promptly.

(4) No information furnished under subdivision (1), (2) or (3) hereof shall be divulged by any representative of the Department of Justice to any person other than a duly authorized representative of the Department of Justice, except in the course of legal proceedings to which the United States is a party, or as otherwise required by law.

(5) For a period of three years following the entry of this decree, no consenting defendant shall be permitted to acquire, or to expand its theater holdings. Nothing herein shall prevent any such defendant from acquiring theaters or interests therein to protect its investment or to compete in position or for ordinary purposes of its business. Proceedings based on a violation of this subdivision (5) shall be inoperative by application to the Court for injunctive relief against the consenting defendant complained against, which shall be limited to restraining the acquisition, or ordering the divestiture, of the theaters or interests therein, if any, acquired, or to be acquired, in violation of this Section.

CAUSE FOR INOPERATION

XII.

(a) If, prior to June 1, 1942, a decree shall not have been entered against the defendant United Artists Corporation, Universal Corporation and Columbia Pictures Corporation, requiring each of them to trade show its features before licensing the same

(Continued on Page 8)

Licensing Controversies Subjected to Arbitration

DECREES APPLICABLE TO U. S. OPERATIONS

(Continued from Page 7)

for exhibition, Section III of this decree, after said date, shall be inoperative and of no binding force and effect upon the consenting defendants, or any of them, except with respect to licenses entered into prior to September 1, 1942, for the exhibition of features released prior to said date and subsequent to August 31, 1941.

(b) If, prior to June 1, 1942, a decree shall not have been entered against the defendants United Artists Corporation, Universal Corporation and Columbia Pictures Corporation, limiting the number of features which may be licensed in a single group, subdivision (a) of Section IV of this decree, after said date, shall be inoperative and of no binding force and effect upon the consenting defendants, or any of them, except with respect to licenses entered into prior to September 1, 1942, for the exhibition of features released prior to said date and subsequent to August 31, 1941.

(c) If, prior to June 1, 1942, a decree shall have been entered against the defendants United Artists Corporation, Universal Corporation and Columbia Pictures Corporation containing provisions requiring each of them to trade show its features before licensing the same, and thereafter any consenting defendant may at any time thereafter file herein a written notice of its election to be relieved from further compliance with Section III of this decree, and upon supplemental decree shall be entered herein on the application of the defendant or defendants so electing which shall subject said defendant or defendants to said provisions of such other decree and entitle it or them to the benefits of any terms thereof providing for the suspension, modification or vacation of said provisions, and relieve it or them from further compliance with the provisions of Section III of this decree.

(d) If, prior to June 1, 1942, a decree shall have been entered against the defendants United Artists Corporation, Universal Corporation and Columbia Pictures Corporation containing provisions limiting the number of features which may be licensed in a single group, any consenting defendant may at any time thereafter file herein a written notice of its election to be relieved from further compliance with subdivision (a) of Section IV of this decree and to comply with said provisions of such decree against said defendants United Artists Corporation, Universal Corporation and Columbia Pictures Corporation, and thereupon an order or supplemental decree shall be entered herein on the application of the defendant or defendants so electing which shall subject such defendant or defendants to said provisions of such other decree and entitle it or them to the benefits of any terms thereof providing for the suspension, modification or vacation of said provisions, and relieve it or them from further compliance with the provisions of subdivision (a) of Section IV of this decree.

(e) If, prior to June 1, 1942, (1) a decree containing the provisions referred to in subdivision (c) hereof, or (2) a decree containing the provisions referred to in subdivision (d) hereof, or (3) a decree containing the provisions referred to in both of said subdivisions, shall have been entered against the defendants United Artists Corporation, Universal Corporation and Columbia Pictures Corporation, but an appeal therefrom has been taken or any of said provisions have not become operative and of full force and effect, then the operation of the provisions dealing with the same subject matter contained in Section III or subdivision (a) of Section IV of this decree shall be suspended and shall be of no binding force and effect upon any consenting defendant except with respect to licenses entered into prior to September 1, 1942, for the exhibition of features released prior to said date and subsequent to August 31, 1941, unless and until such decree shall become final and such provisions shall be in full force and effect against the defendants United Artists Corporation, Universal Corporation and Columbia Pictures Corporation.

poration, Universal Corporation and Columbia Pictures Corporation. After such decree shall have become final, any consenting defendant may at any time exercise its right of election provided for in subdivisions (c) and (d) of this Section.

(f) If, at any time, an Act of Congress or a rule or regulation made pursuant to an Act of Congress shall require the trade showing of features before licensing the same for exhibition, each of the consenting defendants shall be relieved from further compliance with Section III of this decree, and if, at any time, an Act of Congress or a rule or regulation made pursuant to an Act of Congress shall limit the number of features that may be licensed in a single group, each of the consenting defendants shall be relieved from further compliance with subdivision (a) of Section IV of this decree. In either of such events any consenting defendant may at any time make application to this Court, of which notice shall be served upon Petitioner and all other consenting defendants, for an order relieving the consenting defendants, and each of them, from further compliance with Section III or subdivision (a) of Section IV of this decree, or both, and vacating the same, and thereupon this Court shall make and enter such an order.

(g) At any time after September 1, 1942, any consenting defendant may move to vacate the then effective provisions of Section III and subdivision (a) of Section IV of this decree by filing an application under oath stating that during any consecutive twelve-month period preceding the filing of such application either (1) distributors of motion picture films have licensed 25 per cent or more of the features released for exhibition in the United States, or (2) per cent or more of the total gross income from licenses for the exhibition of motion pictures in the United States, excluding the gross income from state rights exchanges, has been derived from pictures licensed otherwise than in accordance with the then effective provisions of Section III, and subdivision (a) of Section IV of this decree.

(Or with corresponding then effective provisions of a decree against the defendants, United Artists Corporation, Universal Corporation and Columbia Pictures Corporation, referred to in subdivisions (c) and (d) of this Section.)

Petitioner and all other consenting defendants shall be served with notice of the filing of such application.

Upon such application the Court shall enter an order relieving the defendants from further compliance with the provisions of Section III and subdivision (a) of Section IV of this decree, unless within sixty (60) days after service of such application Petitioner shall establish to the satisfaction of the Court that during said twelve-month period less than 12 1/2 per cent of the total gross income from licenses for the exhibition of motion pictures in the United States, excluding the gross income of states rights exchanges, had been derived from pictures licensed otherwise than in accordance with the then effective provisions of Section III and subdivision (a) of Section IV of this decree.

(h) At any time after September 1, 1942, any consenting defendant may apply to this Court to vacate the provisions of Section III and subdivision (a) of Section IV of this decree, or the provisions of either of such Sections, and upon such application the Court shall enter an order relieving the consenting defendants from further compliance with such provisions, upon such defendant showing to the satisfaction of the Court that, subsequent to said date and by reason of the competition of persons not selling exclusively in accordance with the provisions of said Sections, or of either of them, compliance by the applicant defendant with such provisions of said Sections, or of either of them, has substantially and adversely affected the applicant defendant's business.

(See footnote 1 to this Section.)

APPLIES ONLY TO U. S.

XIII.

Nothing contained in this decree shall apply to operations or activities of any consenting defendant outside of the continental United States or to operations or activities of any consenting defendant within the continental United States in so far as they relate to the distribution or exhibition of motion pictures outside of the continental United States.

(The continental United States as used herein means the territory within the boundaries of the forty-eight states and the District of Columbia.)

ROADSHOWS

XIV.

Nothing contained in this decree shall be construed to limit or affect the right of any distributor defendant, prior to the general release of a motion picture, to road show such picture in any territory, and to arrange for the road showing of such picture upon such terms and conditions as may be made by the distributor.

(Road showing is an exhibition at a theater where a majority of the main floor seats for each evening performance are reserved and sold for the admission price of not less than one dollar.)

PRIOR FRANCHISES

XV.

The provisions of this decree shall not apply to any franchise which was signed prior to June 6, 1940, or to any license entered into pursuant to such franchise, except that Section VIII hereof shall apply to all such franchises and such licenses between parties bound by this decree other than licenses referred to in Section XVII hereof.

REFUSAL TO ARBITRATE

XVI.

No consenting defendant and no officer, director, agent or employee of any such defendant, shall be deemed to have violated any provision of this decree if the arbitration of disputes or controversies arising relative to the subject matter thereof is herein provided for, unless such defendant has refused to arbitrate such a dispute or controversy in the manner and under the conditions specified in this decree and in the Rules of Arbitration and Appeals which are filed herewith, as amended from time to time, or has failed or refused to abide by and perform the final award made and entered in such an arbitration proceeding.

(For the purposes of this Section the final award in any arbitration proceeding under Section X of this decree shall be only a final award for damages as therein provided.)

RIGHTS TO LICENSE

XVII.

Nothing contained in this decree shall be construed to limit, impair or restrict in any way whatsoever the right of each distributor defendant to license the exhibition, or any way to arrange or provide for the exhibition in such manner, upon such terms and subject to such conditions as may be provided for in this decree, of any or all of the pictures owned by it, or any of its subsidiaries, (1) in any theater in the ownership, lease, management or operation, or in the proceeds or profits from the management or operation of which, it directly or indirectly, by stock ownership or otherwise, owns a financial interest at the time of the entry of this decree and also at the time of such license, and (2) in any theater in the ownership, lease, management or operation, or in the proceeds or profits from the management or operation of which, such distributor defendant acquires after the date of the decree and owns at the time of such license, directly or indirectly, by stock ownership or otherwise, a financial interest of not less than 50 per centum and (3) in any theater in the ownership, lease, management, or

operation, or in the proceeds or profits from the management or operation of which, a company in which such defendant owned not less than 42 per cent of the common stock at the date of the decree and at the time of such license, acquires after the date of the decree and owns at the time of such license, directly or indirectly, by stock ownership or otherwise, a financial interest of not less than 50 per cent.

(For the purpose of this Section (1) defendant RKO Pictures, Inc., or its successors, shall be deemed to have the same interest in the ownership, lease, management or operation or in the proceeds or profits from the management or operation of any theater which Warner Brothers Pictures, Inc., or its successors, directly or indirectly, has; and (2) defendant Vitaphone, Inc., or its successors, shall be deemed to have the same interest in the ownership, lease, management or operation or in the proceeds or profits from the management or operation of any theater which Warner Brothers Pictures, Inc., or its successors, directly or indirectly, has.)

(In the case of the distributor defendant Twentieth Century-Fox Film Corporation, or its successors, the defendant National Theaters Corporation, or its successors, shall be deemed to be such a company if said distributor defendant has owned at least 42 per cent of its common stock at the date of the decree and not less than 35 per cent of its common stock at the time of such license, provided not less than 42 per cent of its common stock is owned by Twentieth Century-Fox Film Corporation, or its successors, and by present or future officers or directors of National Theaters Corporation, or its successors.)

COMPLIANCE

XVIII.

For the purpose of securing compliance with this decree, and for no other purpose, authorized representatives of the Department of Justice shall, on the written request of the Attorney General or the Assistant Attorney General in charge of anti-trust matters, at any time and from any consenting defendant, reasonable as to time and subject matter, made to such defendant at its principal office, and subject to any legally recognized privilege, (1) be permitted reasonable access, during the office hours of such defendant, to all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of such defendant, relating to any of the matters contained in this decree, and (2) subject to the reasonable convenience of such defendant, and without restraint or interference from it, be permitted to interview its officers or employees regarding any such matters, at which interview counsel for the office or employee interviewed and counsel for the company may be present. Without in any way limiting the rights therein provided for, the officers or employees granted in the foregoing provisions of this Section each of the distributor defendants shall keep at its principal office current records which shall be accessible for the purpose aforesaid, showing:

(1) The dates when and the places where each of its features is trade-shown, the names of the theaters in which each feature is trade-shown, the date of publication, the name and location (by town and exchange district) of each theater in which each feature is trade-shown for exhibition, and the date of license thereof.

(2) As to each license entered into by it, the date thereof and the names and location (by town and exchange district) of the theaters involved, the names of the parties thereto, the names of the sales representatives who negotiated the license, and the names of the features licensed for exhibition.

(3) All arbitration awards rendered against the distributor with a statement showing what the distributor has done to comply therewith.

Information obtained pursuant to the provisions of this Section shall not be divulged by any representative of the Department of Justice to any person other than an authorized representative of the Department of Justice except in the course of legal pro-

Roadshowing Pix Prior to Licensing Forbidden

ST. I. B. HAS RIGHT TO SELECT CUSTOMERS

seedings to which the United States is a party, or as otherwise required by law.

(See footnote 4 to Section III.)

CUSTOMERS

XX.

Except as otherwise expressly and specifically provided in this decree, nothing shall be construed to limit the right of any distributor defendant to select its own customers, to bargain with them in accordance with law, or to refuse to grant a license to or to accept any offer from any exhibitor to license its motion pictures or any number thereof upon such terms and conditions as it deems advisable or to its best interests.

FEATURE PIX

XX.

The provisions of Section III, of subdivision (a) of Section IV, of Section V and of Section VI of this decree shall have application only with respect to features released in the United States after August 31, 1941.

TRIAL PERIOD

XXI.

Petitioner, by its counsel, has represented to the Court that the public interest requires that the provisions of this decree shall operate for a trial period of three years from the date of entry hereof. Petitioner has further represented to the Court, and each of the consenting defendants has consented to the entry of this decree upon the condition, that Petitioner will not for a period of three years after the entry of this decree, either in this action or by any other action or proceeding against any such defendant seek either the relief or any thereof prayed in paragraphs (4), (5) and (6) of Section VIII of the Petition filed hereby July 1938, or in paragraphs (5), (6) and (7) of Section VIII of the Amended and Supplemental Complaint filed herein June 1940, or otherwise seek to divorce the production or distribution of motion pictures from their exhibition; or to dissolve any such defendant or any corporation in which any such defendant has directly or indirectly a substantial stock interest and which is engaged in the exhibition of motion pictures or holds directly or indirectly a substantial stock interest in any corporation so engaged, or to dissolve or break up any circuit of theaters of any such defendant or of any such corporation, or to require any such defendant, corporation or circuit to divest itself of its interests or any thereof, direct or indirect, in motion picture theaters in which it had an interest at the date of the entry of this decree.

ARBITRATION METHOD

XXII.

1. The method and conditions of arbitration which is referred to in this decree, and the procedure for such arbitration, shall be as specified in this Section and in the Rules and Regulations and appeals which are provided for hereinafter.

2. An arbitration system for the arbitration of claims and controversies for which an arbitrator has been appointed shall be administered by an impartial Administrator.

The Administrator shall establish and maintain an Arbitration Tribunal in each city in the United States in which three or more of the distributor defendants shall maintain exchanges.

The Administrator shall establish and maintain a panel of not less than ten arbitrators for each Arbitration Tribunal and shall establish and maintain suitable offices and personnel, including a clerk, for each Arbitration Tribunal and for the Appeal Board of such Administrator.

3. No person shall be appointed a member of the panel of arbitrators unless he has a financial interest in, or has or has had any connection with, the production, distribution

or exhibition of motion pictures, or has or has had any interest in any motion picture theater as landlord, lessor, or otherwise.

4. The American Arbitration Association is appointed Administrator of the arbitration system under this decree, and is authorized and directed to perform the duties and functions of such Administrator until further order of the Court.

Any successor to the American Arbitration Association as Administrator shall be appointed by the Court on the joint application and recommendation of the Petitioner and of a majority of the distributor defendants, except that if the Petitioner and a majority of the distributor defendants fail to join in making such application and recommendation the successor Administrator shall be appointed by the Court.

5. There shall be a Budget Committee consisting of three members, one of whom shall be appointed by the Administrator, one of whom shall be appointed by the distributor defendants, and one of whom shall be the Chairman of the Appeal Board. The Budget Committee shall budget the cost of the maintenance and operation of the arbitration system. Such budget for the first twelve months of the operation of the arbitration system shall not exceed \$10,000, except with the consent of a majority of the distributor defendants, provided, however, that the Court may, on the application of the Petitioner, and for good cause shown, order an increase in the budget for any year to such amount, not exceeding \$10,000, as it may find necessary for the effective operation of the arbitration system.

6. Each arbitrator shall be selected and each arbitration proceeding shall be conducted in the manner prescribed by the Rules of Arbitration and Appeals which are filed herewith and are hereby approved. Such Rules may be amended or added to from time to time by the Administrator with the approval of a majority of the Appeal Board upon notice to the Petitioner and to the distributor defendants of such proposed amendments or additions and an opportunity for a hearing thereon. No amendment or addition to such Rules shall change the qualifications of arbitrators as set forth in Rule II of such rules or deny to any exhibitor or distributor defendant the right to intervene as a party in any proceeding by which it may be affected or deny to any party to an arbitration proceeding the right to receive notice of all proceedings therein; to participate in the selection of arbitrators; to challenge the qualifications of arbitrators; to be represented by counsel or otherwise; to secure the production of witnesses and of evidence; to examine and cross-examine all witnesses; and to appeal to the Appeal Board from any adverse award. The Rules may provide for the arbitration of claims and controversies between distributor defendants and exhibitors for the arbitration of which no provision is made in this decree and which by agreement between the parties thereto shall be submitted to the tribunals.

7. There shall be an Appeal Board which shall have jurisdiction to determine appeals from awards made by the Arbitration Tribunals. It shall consist of three members appointed by the Court, each of whom shall be a person of known impartiality and distinction. Each such member shall be appointed for a term of three years and shall be eligible for reappointment. Any member shall be removed by order of the Court or shall resign. Each member of the Appeal Board shall be eligible for reappointment.

One member of the Appeal Board shall be designated by the Court as the Chairman of the Board.

The members of the Appeal Board shall be compensated on an annual basis. The Chairman of the Board shall be paid \$5,000 per annum, and each of the other members of the Board shall be paid \$5,000 per annum.

The Appeal Board shall have its offices in New York, New York.

8. The expenses of the arbitration system shall be paid out of a fund administered by the Administrator. Such fund shall be accumulated and maintained by filing fees provided for by the Rules of Arbitration and Appeals; by penalties imposed in accordance with the provisions of Sections IV and V of this decree, and by such additional amounts as shall be paid by the distributor defendants, as may be determined by the Budget Committee from time to time to be necessary.

Such amounts shall be assessed by the Administrator to and shall be paid by the several distributor defendants in amounts proportionate to their respective gross receipts from the exhibition of motion pictures in the United States. The proportionate gross receipts of such defendants during the 1939-40 motion picture season shall be used in determining the amount to be paid by each such defendant for the expenses of establishing the arbitration system and of maintaining it during the first twelve months of its operation. Thereafter the gross receipts for the motion picture season ending on the August 31st immediately preceding the start of the particular twelve months' period shall be used in determining such amounts.

Each distributor defendant shall inform the Administrator promptly after the end of each motion picture season of its total gross receipts during such motion picture season from licenses for the exhibition of motion pictures in the United States. Such information shall be treated by the Administrator as confidential and shall not be divulged except as required by law.

9. Any person who has the right to institute an arbitration proceeding under any provision of this decree, may institute and prosecute such proceeding in the manner and subject to the conditions specified in the Rules of Arbitration and Appeals, upon the condition that such person file with the Clerk of the Arbitration Tribunal a submission, in the form and executed in the manner prescribed by the Administrator, which shall provide in substance that such complainant submits the controversy to the arbitration and undertakes to abide by and to comply fully with whatever final award may be entered therein.

Any exhibitor or distributor who intervenes as a party in an arbitration proceeding as provided in the Rules of Arbitration and Appeals, shall file with the Clerk of the Arbitration Tribunal a submission, in the form and executed in the manner prescribed by the Administrator, which shall provide, in substance, that such intervenor submits to the arbitration and undertakes to abide by and to accept whatever final award may be entered therein.

Representatives of the Department of Justice, duly authorized in writing, shall be permitted reasonable access during regular office hours to all books, ledgers, accounts, correspondence, memoranda and other records and documents in the possession or under the control of the Appeal Board, of the Arbitration Tribunal, and of the Administrator, which relate to the arbitration system and to the arbitration of claims and controversies under this decree.

JURISDICTION

XXIII.

Jurisdiction of this cause is retained, for the purpose of:

(a) Enabling any of the parties to this decree to apply to the Court at any time for such orders and directions as may be necessary or appropriate for the construction or carrying out of this decree, for the enforcement of compliance therewith, and for the punishment of violations thereof.

(b) Enabling any of the parties to this decree to apply to the Court at any time for a modification of this decree in order to conform it to any Act of Congress enacted after the entry of this decree;

(c) Enabling any consenting defendant to make any application to the Court referred to in any provision of this decree;

(d) Enabling any of the parties to this decree to apply to the Court at any time for such orders and directions as may be necessary or appropriate for the construction or carrying out of this decree, for the enforcement of compliance therewith, and for the punishment of violations thereof.

(e) Enabling any consenting defendant to apply to the Court at any time more than three years after the date of the entry of this decree to vacate this decree, or any modification thereof, or to vacate or modify any provision thereof, on the ground that under the economic or competitive conditions existing at the time of such application, this decree or any modification thereof, or any provision thereof, is inappropriate or unnecessary, or oppressive or unduly burdensome, or that such conditions are new or unforeseen. The right of each consenting defendant to make any such application and to obtain such relief is expressly reserved by them and is hereby expressly granted.

Whenever obligations or prohibitions are imposed upon the defendants by the laws of any State or by rules or regulations made pursuant thereto, with which the defendants by law must comply, the Court, upon application of the defendants, or any of them, shall from time to time enter orders relieving the defendants from compliance with any requirement of this decree in conflict with such laws, rules or regulations, and the right of the defendants to make such applications and to obtain such relief is expressly granted.

Any application by any party to this decree under the provisions of this Section shall be made in open court upon notice to all of the other parties to this decree, and each such party, upon such application, shall have the right and privilege of requiring the production of witnesses upon whose testimony such application is sought or opposed, and of examining and cross-examining such witnesses in accordance with the rules of the Court.

Gov't Will Build Theaters For Soldiers in Camps

The Government is planning to construct a large number of mobilization theaters in Army camps for drafted men, according to Thomas H. Martell, head of the U. S. Army Motion Picture Service in New York. Martell said that one or two theaters will be built in each camp, the theaters seating 1,000 persons each.

The Army theaters will be operated in such a way as to prevent competition with nearby civilian theaters, with absolute respect to clearance.

Fifteen new theaters have been erected in National Guard camps, Martell said.

A new branch of the U. S. Army Motion Picture Service has just been established in Atlanta to service the Southeastern area.

Harry C. Arthur Named Barker of St. Louis V. C.

St. Louis—Harry C. Arthur, Jr., executive director in St. Louis for Fanchon & Marco, has been elected Chief Barker of the St. Louis Tent of the Variety Club. Other officers named are: Louis K. Ansell of the Ansell Brothers Circuit, first assistant chief barker; Harry Haynes of Universal, second assistant chief barker; George L. Wiegand, St. Louis Amusement Co., Dough Guy, and Chauncey B. Nelson, personnel director. Fanchon & Marco Service Corp., property master.

Decree Will Operate for Trial Period of 3 Years

THE RULES OF THE ARBITRATION BOARD

Full text of the proposed Rules of Arbitration under the pending consent decree follows:

RULES OF ARBITRATION AND APPEALS

I. Initiation of Arbitration

An arbitration proceeding shall be initiated by filing with the Clerk of the Tribunal a Demand for Arbitration and a submission as provided in subdivision 9 of Section XXII of the Decree, and by paying a filing fee of \$10.00 to the Clerk of the Tribunal.

(Filed herewith and made a part of these Rules is a map showing the territory throughout which each Arbitration Tribunal shall have jurisdiction and the city in which each Arbitration Tribunal shall be located.)

The Demand for Arbitration shall be signed by the complainant and shall set forth:

The name and address of the complaining party; the name and address of each theater involved in the controversy; the name and address of each exhibitor or distributor against whom complaint is made (hereafter sometimes referred to as "Respondents"); the name and address of each other exhibitor and distributor whose business or property it is believed by the complainant may be affected by an award in the proceeding; and a brief statement in simple language of the claim and the relief sought.

At the same time a sufficient number of copies of the Demand shall be delivered by the complainant to the Clerk of the Tribunal for delivery to the defending parties and to the other exhibitors and distributors named in the Demand. The Clerk of the Tribunal shall forthwith deliver one copy to each defending party and to each such other exhibitor and distributor.

Any defending party may within seven days after the date on which the Clerk of the Tribunal delivered a copy of the Demand to such party, sign and file with the Clerk of the Tribunal a list giving the name and address of each exhibitor or distributor not named in the Demand whose business or property it is believed by such party may be affected by an award in the proceeding.

The Clerk of the Tribunal shall forthwith deliver a copy of the Demand to each exhibitor and distributor named in any list filed by any defending party.

Any exhibitor or distributor named either in the Demand or in any list filed by any defending party and any other exhibitor or distributor whose business or property may be affected by an award in the proceeding, may at any time prior to the commencement of the first hearing intervene and thereby become a party to the proceeding by filing with the Clerk of the Tribunal a statement which shall set forth his interest as an intervenor in the proceeding and a submission as provided in subdivision 9 of Section XXII of the Decree and by paying a filing fee of \$10.00 to the Clerk of the Tribunal.

Upon any exhibitor or distributor intervening as a party the Clerk of the Tribunal shall forthwith deliver to all parties notice of such intervention.

Any party who intervenes more than fifteen days after the filing of the Demand shall not be entitled to participate in the selection of the arbitrator.

II. Qualification of Arbitrators

No person shall be appointed a member of a Panel of Arbitrators established in accordance with the Decree who has any financial interest in, or has or has had any connection with, the production, distribution or exhibition of motion pictures, or has or has had any interest in any motion picture theater, as landlord, lessor or otherwise.

No number of a Panel shall serve as an arbitrator in any arbitration proceeding if he has or has had any financial or other connection with, the production, distribution or exhibition of motion pictures, or has or has had any interest in the result of the arbitration, or has any personal bias, which might prejudice the right of any party to a fair and impartial award.

III. Appointment of Arbitrators

Not less than 15 nor more than 17 days after the filing of the Demand in accordance with Rule I, the Clerk of the Tribunal shall deliver to each party an identical list of arbitrators selected from the Panel of Ar-

bitrators, for the purpose of enabling the parties to indicate thereon their preference of arbitrators. Within seven days from the date of delivery of the list shall be allowed the parties for the return of the list. If the Clerk of the Tribunal does not receive the list from any party within said period all the names on such list shall be deemed acceptable to such party.

The Clerk of the Tribunal shall forthwith appoint an arbitrator from the names indicated as acceptable to all parties. In the event no name appears from the list to be acceptable to all parties, or that none of those shown to be acceptable is available, the American Arbitration shall appoint an arbitrator from the remaining members of the Panel.

Not less than 16 days after the filing of the Demand and prior to the appointment of an arbitrator, the parties to any controversy may by written agreement unanimously appoint one or more arbitrators from the Panel of Arbitrators to arbitrate such controversy, by filing such agreement with the Clerk of the Tribunal.

No irregularity in the appointment of an arbitrator shall affect the validity of the proceeding or of the award.

Notice of appointment shall forthwith be given to the arbitrator by the Clerk of the Tribunal, and a signed acceptance obtained.

IV. Removal of Arbitrator and Filling of Vacancy

Upon written application of any party prior to the date the arbitrator's award becomes final, the American Arbitration Association shall upon proof satisfactory to it that an arbitrator is disqualified under Rule II, revoke the appointment of such arbitrator and declare the office vacant and the award, if any, vacated. No such action shall be taken by the American Arbitration Association in any case where an award has been made unless the applicant party shall have given five days notice of its application to all other parties. Unless application for disqualification is made immediately following a party's discovery of the reason therefor, such party shall be deemed to have waived such disqualification.

The American Arbitration Association may also revoke the appointment of an arbitrator at any time by reason of his neglect, refusal or failure to perform the duties of his office.

If the appointment of an arbitrator is revoked, or if by reason of resignation, death, or illness an arbitrator is unable to perform the duties of his office, a new arbitrator shall forthwith be appointed by the Clerk of the Tribunal from among the names acceptable to the parties or by the American Arbitration Association, in accordance with the second paragraph of Rule III.

V. Hearings

Hearings shall be held at the office of the Arbitration Tribunal having jurisdiction of the controversy involved or at such other place in the same Arbitration District as may be agreed upon by the parties with the consent of the arbitrator.

Hearings shall commence as promptly as possible after the appointment of the arbitrator.

The time of the beginning of the hearing shall be fixed by the arbitrator, who may adjourn the hearing from time to time.

The Clerk of the Tribunal shall deliver to the parties a written statement of the date of the arbitrator and of the time and place of the beginning of the hearing at least five days prior thereto, unless such notice is waived by the parties.

VI. Procedure at Hearings

The arbitrator shall take the oath of office in the form prescribed by the Administrator before proceeding with the hearing.

The parties may appear personally and be represented by counsel or by others.

Each party shall have the right to examine or cross-examine all witnesses.

Witnesses shall testify under oath or its legal equivalent.

Evidence shall be received only at hearings of which the parties have had due notice and the arbitrator in making his award shall consider only such evidence, and such inspection as he may make hereunder.

The arbitrator shall not be required to require any party to produce such records or docu-

ments as the arbitrator may deem necessary to a proper determination of the controversy. In lieu of producing or offering original records or documents, any party may, with the approval of the arbitrator, produce or offer sworn copies thereof or sworn excerpts of the relevant or material portions thereof. If any party challenges the authenticity, correctness or adequacy of such documents or excerpts, the arbitrator shall determine such authenticity, correctness or adequacy. All exhibits offered in evidence shall be numbered and so marked as to indicate whether or not they were received.

The arbitrator shall be the judge of the relevancy and materiality of the evidence offered and conformity to legal rules of evidence shall not be necessary.

Whenever the arbitrator deems it necessary he may make an inspection in connection with the subject matter of the controversy upon notice to the parties.

The arbitrator may hear argument and receive briefs.

VII. Closing and Reopening the Proceeding

After all parties have indicated that they have nothing further to offer, the arbitrator shall declare the proceeding closed.

Prior to the expiration of the time for making an award the arbitrator may reopen the proceeding upon his own initiative, or for good cause upon the written application of any party on five days' notice to all other parties.

Any time within twenty days after the award has been filed the arbitrator may also reopen the proceeding for the purpose of correcting inadvertent errors in the award.

VIII. Defaults and Withdrawals

If any party to a proceeding defaults by failure to comply with the fourth paragraph of Rule XI or withdraws from the proceeding after an arbitrator is appointed, the proceeding shall nevertheless continue to an award unless all other parties consent to the proceeding consent to a dismissal. A party who defaults or withdraws shall not be entitled to participate further in the proceeding.

IX. Powers of Arbitrators

The arbitrator shall have the powers and shall perform the duties granted to and imposed upon him by the Decree and these Rules, and in making his award he shall comply with the Decree and these Rules.

X. Awards

The award shall be filed with the Clerk of the Tribunal within 30 days from the date of closing the proceeding, or from the date fixed by the arbitrator for the filing of briefs, whichever is later.

The award shall be specific, shall contain such findings as are required by the Decree and shall be signed by the arbitrator and acknowledged before a notary public or other officer duly authorized to administer oaths.

In his award the arbitrator shall assess costs against the losing party or parties or apportion them among the parties as he may deem proper. Costs shall be limited to the arbitrator's fee and the filing fee.

The Clerk of the Tribunal shall forthwith deliver a copy of the award and any corrected award to each party, with the date of filing endorsed thereon.

The award or, if corrected, the corrected award shall become final and binding upon the parties upon the expiration of the time for filing a notice of appeal therefrom, unless an appeal is taken in accordance with these Rules.

XI. Arbitrator's Fees

The American Arbitration Association shall fix for each Arbitration District the per diem rate of the arbitrator's fee which in no event shall exceed \$50.00 per diem. The arbitrator shall be entitled to the per diem fee for each day or part thereof that he shall attend a hearing or make an inspection.

Witnesses incurred by an arbitrator in making inspections as provided in Rule VI or in conducting hearings at other places than the Tribunal office as provided in Rule V, shall be borne equally by the parties.

No other compensation or expenses and no gratuities or benefits of any kind shall be paid to or conferred upon an arbitrator by any party.

Prior to the commencement of each day's hearing or inspection, each party to the proceeding shall deposit with the Clerk of the Tribunal a sum equal to the arbitrator's per diem fee. Failure to make such deposit shall constitute a default.

After the award is filed, the arbitrator shall be paid his fee out of the deposits made by the parties to the proceeding. The Clerk of the Tribunal shall return any undistributed sums to the parties entitled thereon upon the final disposition of the controversy.

XII. Stenographic Cost

(Under Rule XIV no appeal can be taken unless three copies of the transcript of the record or an abbreviation thereof are filed with the Clerk of the Tribunal.)

The Clerk of the Tribunal shall make the necessary arrangements for the taking of a stenographic record of the testimony when such a record is requested by one or more of the parties, who must deposit the cost thereof with the Clerk of the Tribunal.

Any party desiring a transcript of the stenographic record of the hearing shall pay the cost thereof and in the event that such party did not pay the cost of taking the stenographic record, the Clerk of the Tribunal shall reimburse the cost thereof to the other party or parties for the cost thereof.

XIII. Extensions of Time

The parties may in writing unanimously agree to extend the time specified in any of the foregoing rules and, except as to Rule X, the arbitrator may extend such time upon the written application of any party upon five days' notice to all other parties.

XIV. Notice of Appeal

Any party to an arbitration proceeding may appeal from an award by filing a notice of appeal with, and paying a filing fee of \$25.00 to, the Clerk of the Tribunal within twenty days after the date of filing of the award or the corrected award. The Clerk of the Tribunal shall forthwith deliver a copy of the notice of appeal with the date of filing endorsed thereon to each party to the proceeding and to the Clerk of the Appeal Board.

The appellant shall have made at his own expense, and, within ten days after filing the notice of appeal, shall file with the Clerk of the Tribunal in which the award was made, three copies of the transcript of the stenographic record of the hearing or such abbreviation thereof as may be agreed upon by the parties.

XV. Record on Appeal

Upon receipt of the three copies of the transcript filed by the appellant, the Clerk of the Tribunal shall forthwith prepare the record on appeal which shall consist of the following:

1. The Demand for Arbitration and the submission.
2. Statements and submissions of intervening parties.
3. Notice of appointment and signed acceptance of the arbitrator.
4. Clerk's record of hearing.
5. Three copies of the transcript of the stenographic record of hearing or such abbreviation thereof as may have been agreed upon by the parties.
6. Exhibits received in evidence and exhibits offered but not received in evidence, except such as may be omitted by stipulation of the parties.

Unless otherwise directed by the Appeal Board, the record on appeal shall remain on file in the Tribunal until the time for filing of all briefs as provided in Rule XVI has expired.

Immediately upon the expiration of such time, the appellant shall transmit the record on appeal to the Clerk of the Appeal Board.

XVI. Proceedings on Appeal

Within thirty days after the filing of the notice of appeal, each party shall deliver a copy of his brief, and, to every other party and file with the Clerk of the Appeal Board six copies of such brief with proof of delivery of three thereof to the other parties.

Within forty days after the filing of the notice of appeal, each party shall deliver a copy of any answering brief to every other

Arbitrators Must Be Free of any Film Connection

DECISION OF APPEAL BOARDS IS BINDING

party and file with the Clerk of the Appeal Board six copies of such brief with proof of delivery of copies thereof to the other parties.

The Appeal Board upon the written agreement of all parties shall, and upon its own initiative may, order oral argument. At any time not later than five days after the expiration of the time for filing answering briefs any party may apply to the Appeal Board for permission to present oral argument.

Such application shall be in writing, shall state the reasons therefor and shall be filed with the Clerk of the Appeal Board, together with proof of delivery of a copy thereof to each other party. Any objection to such application shall be made in writing and filed with the Clerk of the Appeal Board, together with proof of delivery of a copy thereof to each other party, within five days after the filing of the application. The ruling on such application shall be made by the Appeal Board forthwith after the expiration of the five day period allowed for the filing of objections and a copy of the ruling shall forthwith be delivered by the Clerk of the Appeal Board to all parties.

When the Appeal Board has ordered oral argument it shall fix the date thereof. The Clerk of the Appeal Board shall deliver to the parties notice in writing of the time and place of such argument, at least ten days prior thereto.

Oral arguments shall be heard by the Appeal Board only in New York, New York.

XVII. Decision and Opinion of the Appeal Board

All members of the Appeal Board shall pass on all appeals and, except as provided in Rule XIX, on all other matters, and the concurrence of two shall be necessary to a decision.

The decision of the Appeal Board together with an opinion stating the reasons therefor

shall be in writing and signed by the members of the Appeal Board or a majority thereof. The decision shall be acknowledged before a notary public or other officer duly authorized to administer oaths. The decision of the Appeal Board shall be filed with the Clerk of the Appeal Board, who shall forthwith file a copy thereof with the Clerk of the Tribunal and shall forthwith deliver a copy thereof to each of the parties. The Clerk of the Tribunal shall forthwith notify each of the parties of the date of filing with him.

The Appeal Board in its decision may affirm, modify, correct or reverse the award of the arbitrator, including provision for costs therein, or may remand the proceeding to the Tribunal for a re-hearing or for further action in accordance with the decision of the Appeal Board.

The Appeal Board in its decision may assess the cost of the stenographic record and of the transcript thereof against the losing party or parties, or apportion it among the parties as it deems proper.

XVIII. Proceedings subsequent to Decision of Appeal Board

Unless the Appeal Board remands the proceeding to the Tribunal or reopens the proceeding as hereinafter provided, the decision of the Appeal Board shall become the final award and shall become binding on all parties ten days after it is filed with the Clerk of the Tribunal.

When the Appeal Board remands a proceeding the arbitration shall thereupon proceed in accordance with the decision of the Appeal Board.

Within ten days after the decision of the Appeal Board has been filed with the Clerk of the Tribunal the Appeal Board may reopen the proceeding for the purpose of correcting inadvertent errors. In such case the corrected decision shall be signed and acknowledged and copies thereof shall be delivered and filed as provided in Rule XVII.

Such corrected decision, unless it remands the proceeding to the Tribunal, shall become the final award and shall become binding on all parties when it is filed with the Clerk of the Tribunal, but in no event earlier than ten days after the decision corrected thereby was filed with the Clerk of the Tribunal.

XIX. Extension of Time

The parties may by written agreement extend the time specified in any of the Rules relating to appeals, and any member of the Appeal Board may do so upon the written application of any party made upon five days notice to all other parties.

XX. Submission of other controversies

Controversies between exhibitors and distributors other than those for which arbitration is provided by the Decree may be submitted to the arbitration system by the parties thereto, provided:

- At least one of the parties thereto is a distributor defendant as defined in the Decree; and
- A submission in writing setting forth the controversy to be arbitrated is signed by all the parties thereto and filed with the Clerk of the Tribunal having jurisdiction.

These Rules insofar as they are applicable shall apply to the arbitration of such controversies except as the submission may otherwise provide and except that no exhibitor or distributor may intervene therein.

XXI. Access to Records

At no time shall access to the record of any proceeding or appeal be permitted to any person not a party, except that awards, decisions and opinions may be made public.

XXII. Definitions

"Decree" means the Consent Decree dated November 1940 entered in the United

States District Court for the Southern District of New York in an action entitled "United States of America v. Paramount Pictures Inc. et al."

"File with the Clerk" means actual receipt by the Clerk.

"Clerk of the Tribunal" means the Clerk of the Arbitration Tribunal having jurisdiction.

"Arbitration Tribunal" and "Tribunal" mean the Tribunal established by the American Arbitration Association in any city as provided in the Decree.

"Deliver" or "Delivery" means either personal delivery or the placing of the document in the mails properly stamped and addressed to the person intended to receive such document.

"Tribunal having jurisdiction" means the Tribunal maintained pursuant to Section XXII of the Decree and located in the territory in which the complainant's theater is located as shown on the map filed herewith and made a part of these Rules, except that when a distributor institutes an arbitration proceeding the "Tribunal having jurisdiction" shall be the Tribunal in the territory in which the theater involved is located. The parties, however, may select as the "Tribunal having jurisdiction" any other Tribunal by written agreement filed with the American Arbitration Association which shall then notify the Clerk of the designated Tribunal.

"Arbitration District" means the territory throughout which the Tribunal shall have jurisdiction as shown on the map filed herewith.

"Person" means any individual, partnership, unincorporated association, or corporation.

"Proof of Delivery" means an admission of delivery or an affidavit of personal delivery or of mailing.

"Award" means award and findings.

Paterson All Aqog Over Tonight's "Tropics" Debut

Paterson, N. J.—Big doings are planned for this town today when Universal's "One Night in the Tropics" will have its world premiere. Seats are reported selling for \$5, proceeds going to the Paterson Community Chest and St. Anthony's Church, by arrangement with Lou Costello, of the Abbott & Costello team, who appears in the picture with his partner, Bud Abbott.

The premiere will be preceded by a parade. Newspaper men, film stars and Universal home office executives will be entertained at a dinner in the Alexander Hamilton Hotel. Paterson is Costello's home town.

Printers' Award to M of T For "Ramparts" Clip Book

The March of Time has received the special merit award for excellence in commercial printing made at the Monday session of the convention of the N. Y. Employing Printers Ass'n. Award was given for the clip and work book on "The Ramparts We Watch," and was the only award made at the particular time.

Blames Closing of Bexley On Lack of Quality Pix

Bexley, O.—Inability to obtain product "of an age and class that will best serve the city of Bexley" has resulted in the closing indefinitely of the Bexley theater here, Bert Williams, manager announces.

Board of Review Devotes Full Session to "Fantasia"

For the first time since the National Board of Review held its initial annual conference 26 years ago, this year it will devote a major session of its convention to the showing of a single motion picture as a revolutionary event in the progress of the movies, it is announced by James Shelley Hamilton, executive director. Pix is Walt Disney's "Fantasia."

Delegates from 37 States will attend the annual conference to be held in New York on November 14-16.

Chi. Censors Reversed

Chicago—Ban placed on "After Mein Kampf?" by the Chicago Censor Board was reversed yesterday by the Police Commissioner. Action followed a protest which was filed by Ira Lattimer, secretary of the Chicago Civic Liberties League, and Melvin Hirsch, president of Crystal Pictures, distributors of the film.

Thomas Waltenbaugh Dead

Canton, O.—Thomas J. Waltenbaugh, widely known Canton theater executive, died in St. Thomas hospital, Akron, after a several weeks illness. A son survives.

M-G-M Defeats "U" at Basketball

Metro's basketball team, film champions, started its 1940-'41 season by defeating Universal Pictures 36 to 12 at the St. Ann's Academy gymnasium Monday night.

Detroit Legit. Opposition Reaches 10-Year High

Detroit—Competition from legit. theaters is reaching a 10-year high today when the Lafayette opens with dramatic stock, making three downtown houses playing legit. simultaneously—not to mention the Yiddish stock company at Littman's People's Theater. In recent seasons, Detroit's sole legitimate house has been the Cass, and that has been dark a large part of the time. The Cass now has an almost solid season of roadshows booked, and the Wilson, uncurtaining after some dark seasons, is playing 30 weeks of musical comedy stock.

Adorno Suit Trial Resumes

Middletown, Conn.—Interrupted by illness of Judge Ernest Simpson, the fourth week of the "conspiracy" suits brought by S & S Theater Corporation and Middlesex Theaters, Inc., against Salvatore Adorno, their former partner and manager, started yesterday.

Douglas Introduces La Guardia

Chicago—Melvyn Douglas was toastmaster at the Stadium meeting last night, introducing Mayor Fiorello H. LaGuardia of New York, the principal speaker.

Chi. P. A. for Gloria Jean

Chicago—The RKO Palace Theater is planning for a personal appearance here of Gloria Jean with the premiere of her new Universal picture, "A Little Bit of Heaven."

Cleveland Firms Would Lease Ashland's Theater

Ashland, O.—Four bids have been received by Mayor Howard S. Lutz for a 25-year lease of the proposed theater in the new municipal building here. Voters will decide on Nov. 5 whether to issue \$280,000 in bonds to finance the construction.

High bid was that of the Ohio Amusement & Vending Co. of Cleveland, which submitted bid of \$303,000.

Second highest of the bids submitted was Belpik Theater Corp. of Cleveland, which bid \$280,000.

Tyson on Harris Leave

Pittsburgh—George D. Tyson, director of publicity for the Harris Amusement Co., has been granted a leave of absence so that he could accept the managership of "Ice Capades," in which he purchased an interest. His assistant, Ken Hoel, will handle Tyson's work while he is away. The "Ice Capades" will premiere at The Gardens here on Nov. 4.

Lubitsch Signs 3 Players

West Coast Bureau of THE FILM DAILY

Hollywood—Ernest Lubitsch has signed John Blair, Richard Carle and Jean Fenwick for "That Uncertain Feeling."

Greta Garbo Asks Citizenship

West Coast Bureau of THE FILM DAILY

Hollywood—Greta Garbo yesterday in Federal Court here asked to become a citizen of the United States.

Arbitration Setup Said Unique in Consent Decree

Provides Simple, Speedy, Inexpensive, Impartial Remedy, Declares Gov't

(Continued from Page 1)

sion in writing setting forth the controversy to be arbitrated is signed by all parties and filed with the clerk of the tribunal having jurisdiction.

The rules insofar as they are applicable, the text explains, "shall apply to the arbitration of such controversies except as the submission may otherwise provide and except that no exhibitor or distributor may intervene therein."

The Government, in releasing the terms of the consent decree and the arbitration rules, summarizes the procedure by pointing out that the motion picture settlement of an anti-trust case is unique and explains its stand in a prepared statement, part of which is reprinted below:

"To provide a forum for the settlement of complaints with respect to the trade practices described above, the decree sets up a system for the arbitration of disputes between exhibitors and distributors. In this respect, the decree is unique. The approach to the solution of the problems existing in the industry differs from that of any consent decree heretofore entered pursuant to the provisions of the anti-trust laws. The approach merely prohibiting certain practices and leaving enforcement to the ordinary process of contempt proceedings instituted by the Government, the decree provides a forum in which exhibitors are given an opportunity to have their complaints promptly heard and promptly decided independently of any action by the Government."

AAA to Administrate

"The arbitration machinery will be administered by the American Arbitration Association. The decree provides that a panel of not less than 10 arbitrators shall be established in each of the 12 exchange centers in the United States. The arbitrators, who are to be selected by the American Arbitration Association, must be persons having no present or present connection with the motion picture industry. Arbitration can be instituted by the payment of a nominal filing fee. Controversies are to be heard by arbitrators from the panel, selected either by agreement of the parties or by the American Arbitration Association. Persons whose business or property may be affected by an award are given the right to intervene as parties and to participate in the proceeding."

3-Man Appeal Board

"Provision is made for an appeals board of three members to be appointed by the Court to hear appeals from decisions of the local arbitrators. The board is to have its offices and hold its hearings in the City of New York. The cost of maintaining the arbitration system is to be borne by assessments levied against the defendant companies."

"This arbitration system will provide a simple, speedy, inexpensive and impartial remedy for the settlement of disputes between distributors and exhibitors."

Reserve Further Relief

"The petition filed by the Government in this case asks the court to order the divorcement of production and distribution of pictures from exhibition if necessary to eliminate the unfair competitive practices in the industry and to restore fair competition therein. The purpose of the present decree is to provide a means for the elimination of unfair competitive

A Plea for National Unity

EDITOR'S NOTE: Upon the screens of 7,000 American film theaters, the motion picture industry will present this stirring appeal for national unity immediately following the announcement of the election of the next President, either late Tuesday night or early Wednesday morning. Other theaters will present it subsequently.

THE democratic process has functioned.

We have just concluded months devoted to free and untrammelled discussion and debate of the problems confronting the Nation and the qualification of the respective candidates for the Presidency to meet and effectively deal with them. After the fullest consideration, a majority of our citizens have solemnly expressed their choice of the Chief Executive to lead the Nation during the next four years.

The election campaign has taken place during a period of recurring critical national and world problems. It was inevitable that during the period of discussion and debate national unity would suffer. The great price which we have paid for our democratic right makes the choice of our leader a sacred one.

Whatever the differences were among us before election, there should remain no doubt that there are no differences among us today. We must stand as one behind the man of the people's choice. We must not fall prey to the plan of "divide and conquer." The Great Liberator has given us our rule of national life—"UNITED WE STAND, DIVIDED WE FALL."

Academy Plans Founding Of a Museum in H'wood

West Coast Bureau of THE FILM DAILY

Hollywood — Academy of Motion Picture Arts & Sciences will place before board of governors detailed plans for the establishment of a Museum of Motion Picture Arts & Sciences, to be sponsored by the Academy in co-operation with film studios, local Chambers of Commerce and Museum of Modern Art Film Library of New York City.

An option has been taken on the entire main floor of the former Trocadero at 8610 Sunset Blvd., as a possible site for the museum.

Ohio ITO Backs Judge Day

Columbus, O. — ITO of Ohio, through Secretary Pete J. Wood, has addressed a letter to all exhibitors, and exchange managers urging the reelection of Judge Arthur H. Day of the Ohio Supreme Court.

practices in the industry without resorting to the more drastic remedy of divorcement.

"The establishment of a system of arbitration to implement the slower and more expensive remedy of private suits under the anti-trust laws supplies a long felt need in the motion picture industry. It is to be noted, however, that the decree takes away no existing legal rights of any exhibitor under the anti-trust laws. It provides an additional forum for the settlement of disputes for which no provisions have heretofore been made. Properly administered it should put an end to disputes between distributors and exhibitors which have been a constant source of discord and friction in the past and should result in placing the industry on a fair competitive basis. If these results are not obtained after a reasonable trial period, there will be no alternative for the Government but to proceed with the litigation and press for a revision of the entire industry structure in accordance with the prayer of the petition."

"To give the arbitration system a fair trial the Government will not seek divorcement or dissolution for a period of three years. In the interim the defendants have agreed not to engage in any general program of expansion of theater holdings, with certain stated exceptions. Thus the status quo will be maintained during the three-year period to the extent that it is practicable."

NBC, Pix Execs. Confer on Short-Wave Activities

(Continued from Page 1)

latter over the NBC facilities. It was suggested by the film reps. that NBC submit specific specifications of the type of broadcast to be aired, and also to explore relationship of broadcasts and defense committee's activity with the Hays' office.

NBC executives stressed the political and good-will aspects of the plan at the huddle, but foreign department reps. took the position that a decision under the circumstances should rest with the top executives of their companies.

In attendance at the special session were J. R. Hummel and Robert Schless, Warner Bros.; Phil Reisman, RKO; Alfred Dean, Paramount; Arnold Picker, and Larry Schneider, Columbia; Kenneth Clark, MPPDA, and John Royal and William Yandell, NBC.

Four of the companies that were reported to have expressed an interest in participating in the proposed series when it was first broached to executives of the film companies on the West Coast, were not represented at yesterday's session. It was stated, however, that the absentees were to be shown the specifications and the results of the study to be made by the network.

Switch Ford to 'Tobacco Road'

West Coast Bureau of THE FILM DAILY

Hollywood — Twentieth Century-Fox, having shelved Geoffrey Household's novel, "Man Hunt," has switched Director John Ford to "Tobacco Road." He will leave for Georgia on Nov. 7 to seek locations for filming the hardy Broadway perennial stage play. Nunnally Johnson has completed the script.

Industry Trailer To Ask U. S. Unity

(Continued from Page 1)

now operating will give screen time to the same plea, made through the medium of a 138-foot trailer.

The trailer results from industry leaders' recognition of the variety of issues brought to the fore by the Presidential campaign, a realization of the adverse effect upon national unity of their heated debate, and a sober conviction that the critical world situation demands that the nation rally unitedly behind the next President, whether Roosevelt or Willkie.

Production and distribution of the trailer is a dual project of five majors, it is understood. They are Metro, Warners, Paramount, RKO and Twentieth Century-Fox. Cost is being borne jointly by the quintet. Trailer, however, carries no company credits.

Idea for the trailer is said to have originated with Harry M. Warner, prexy of Warner Bros., who also is credited with having much to do with the phrasing of the plea itself. Subject was shot here and prints are being turned out by the Warner laboratory. Plea is flashed against backgrounds of the U. S. Seal, the Capitol and the Stars and Stripes. Patriotic melodies provide the score.

Total of 7,000 prints will be ready for Election Night use, with each company determining its own particular policy on use. Warners propose to hook it on the back of the feature. Twentieth-Fox probably will do the same. Paramount expects to send it out individually. Metro probably will insert it in the News of the Day. RKO Radio has not yet decided as to method, it was said.

M-G-M Options Connie Russell

Metro has taken an option on the services of Connie Russell, 16-year-old singer, who has been appearing at the Open Door. Arthur Freed, M-G-M producer, plans to use her in a featured role in a forthcoming musical film.

RKO Shelves "Mr. Pinkie"

West Coast Bureau of THE FILM DAILY

Hollywood—RKO has shelved "Mr. Pinkie," the picture intended for Charles Laughton and Elsa Lanchester. Studio has added Heather Angel to the cast of "Kitty Foyle."

Here's a Thought

Rochester — All patrons at Leew's Rochester on Halloween night will get free cider and doughnuts. It's a tie-up with a downtown food store arranged by Manager Lester Pollock.

Twins for Usherettes

New Philadelphia, O.—Two can get a job better than one here. The new Quaker Theater, which opens here Nov. 1, is advertising for 18-year-old twin girls to serve as usherettes.

Intimate in Character
International in Scope
Independent in Thought

THE FILM DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 87

NEW YORK, THURSDAY, OCTOBER 31, 1940

TEN CENTS

MYERS ANALYZES PROVISIONS OF DECREE H'wood Sees Decree Bringing Production Boom

Editorial

Leadership ... an answer

By CHESTER B. BAHN

ROBERT MONTGOMERY, who, addressing the New York Herald-Tribune Forum here last week, singled out this industry's leadership for critical assault, has his answer today.

Has it in a way he perhaps least expected.

Has it, still more importantly, not in a deliberately prepared industry defense, but in the far more effective "actions-speak-louder-than-words."

Montgomery, you may recall, told the newspaper's Forum:

"... I am convinced the weakness of the leadership... will make it impossible for the industry to perform its function in national defense in the present crisis with any appreciable degree of success."

THIS conviction, he was careful to stress, did not reflect "the words of a disgruntled employee," but rather resulted from his study of "various industrial organizations."

The actor, of course, is entitled to his opinion, and to the right to express it, if he elects to do so.

But on the record, it would seem that he is more familiar with other industrial organizations than with his own, and the exact part the latter is playing and has been playing in national defense.

IT is a fact that, for months, this industry, through its patriotic and responsible leadership, has given the fullest co-operation to the Federal Government.

It is a fact that, even before the first conferences to that end were held both in Hollywood and New York, the film companies emphasized patriotism and Democracy's essentials in outstanding short subjects and produced others equally desirable from the national viewpoint after consultations with the War and Navy Departments.

It is a fact that the industry is ready to play a definite role in the highly important activities of the Office of Co-ordination of Commercial and Cultural Relations between the American Republics.

It is a fact that the industry will have direct contact with the National Defense Commission, through the Motion Picture Section of its Division of Information.

IT is a fact that the Research Council of the Academy, headed by Darryl F. Zanuck,

(Continued on Page 2)

Feels 18 Months' Normal Picture Making Will Be Crowded into Next Year

By RALPH WILK

West Coast Bureau of THE FILM DAILY

Hollywood—If Coast appraisal is correct, and film execs. here are confident it is, the proposed consent decree in the New York equity suit means boom times for production, at least for a year.

With the blocks of five and trade show provisions of the decree becoming effective next Sept. 1, it is Hollywood's hunch that it will be not only advisable but essential to

(Continued on Page 3)

Better Pix Sending FPC's Earnings Up

Toronto — A better-than-average run of pictures, according to officials of Famous Players Canadian, has boosted the company earnings during the past year and revenue has also been increased by the spread of prosperity and reduction of unemployment due to the placing of

(Continued on Page 8)

Exhib. Offers Free Passes; Sun. Pix Vote Move Flops

Rensselaer—Clif Swick, who recently took over the Uptown Theater in the only city upstate without Sunday films, tried to do his bit to carry the vote in a Nov. 5 ref-

(Continued on Page 3)

K-A-O 52 Weeks' Net Climbs B. F. Keith Corp. Profit Dips Slightly

Freeman Names Members Of Pix Defense Committee

West Coast Bureau of THE FILM DAILY

Hollywood — Y. Frank Freeman, chairman of motion picture industry's Production Defense Co-ordination Committee, announced the following names of members of the committee who will function in Hollywood:

Darryl F. Zanuck, Walter Wanger,

(Continued on Page 8)

Uniform is Pass at Sussman's Adelphi

Chicago—"Your uniform is your pass," is the catchline on a trailer which Ludwig Sussman, owner of the Adelphi, nabes house, is using to invite those in military service to attend, free, as often as they wish. Adelphi is not too distant from both Fort Sheridan and the Great Lakes Naval Training Station. Sussman is a director of Illinois Allied.

"Little 3" Complaint In Wholly New Form

Federal Judge Henry W. Goddard will be asked on Nov. 14 to permit the Government to serve a new complaint upon United Artists, Universal and Columbia, Government officials said yesterday.

The complaint, which will be in an entirely new form, will seek a decree directing the defendants to change their selling methods so as to conform with those provided for the Big Five in the new consent decree.

Government officials explained that

(Continued on Page 8)

Fonda, Stewart, Milland Among 16 Film Draftees

West Coast Bureau of THE FILM DAILY

Hollywood—Sixteen players and 13 technicians are subject to early call as a result of the draft drawings. Paramount players affected are Ray Milland, Wayne Morris, William

(Continued on Page 3)

Says D of J to Eye Cases Where Desired Groups Are Sprinkled With Poor Pix

The pros and cons of the five-picture clause of the consent decree have been outlined by Abram F.

Myers, Allied general counsel, in a bulletin to the organization's directors.

Unusual industry-wide interest attaches to Myers' slant on the provisions of the proposed decree. Allied is generally

credited with playing a major role in

(Continued on Page 8)

Blocks of 5 No Cure, Myers Tells Ohio ITO

By CECIL SANSBURY
FILM DAILY Staff Correspondent

Columbus, O.—"The fact that distributors must sell in blocks of five does not mean they cannot combine

(Continued on Page 5)

Adelphi Case Action Waits on N. Y. Decree

Chicago — Joseph Rosenberg, of Rosenberg, Stein & Rosenberg, at-

(Continued on Page 8)

'One Night In Tronics' Is Humor-Laden Film

Universal unveiled its "One Night in the Tronics" last night in an enthusiastic preview at the Fabian Theater, Paterson, N. J., which was highlighted by audience warmth accorded to a native cinema son, Lou Costello, and a demonstration which indicated that this feature will be well received by patrons in situations generally. On-lookers revelled in the frequent sequences of comedy supplied by Costello and his partner-in-mirth, Bud Abbott. Musical numbers, contributed by Jerome Kern and Dorothy Fields, are both pleasant and of the hit variety.

—MORRIS

(Continued on Page 3)



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JOHN W. ALICOTTE : : : : Publisher

DONALD M. MERSEREAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Wednesday, Oct. 30)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	8	8	8	— 1/4
Col. Picts. vtc. (2 1/2%)	5	5	5	—
Columbia Picts. pfd.	19 1/2	19 1/2	19 1/2	— 3/8
Con. Fm. Ind.	11	11	11	— 1/2
Con. Fm. Ind. pfd.	11	11	11	— 1/2
East. Kodak	134 1/2	133	134 1/2	+ 1/2
do pfd.	176	175 3/4	176	— 1/2
Gen. Tr. Eq.	11 1/2	11 1/2	11 1/2	— 1/2
Loew's, Inc.	27 1/2	26 3/4	26 3/4	— 1/4
do pfd.	8 1/2	8 1/4	8 1/2	— 3/8
Paramount	92	92	92	+ 1/8
Para. 1st pfd.	10	10	10	+ 1/8
Para. 2nd pfd.	10	10	10	+ 1/8
Pathe Film	2 1/2	2 1/4	2 1/2	— 1/8
20th Century-Fox	5 1/2	5 1/4	5 1/2	— 1/8
20th Century-Fox pfd.	2 1/2	2 1/4	2 1/2	— 1/8
Univ. Pict. pfd.	2 1/2	2 1/4	2 1/2	— 1/8
Warner Bros.	28 1/2	28 1/4	28 1/2	+ 1/8
do pfd.	38 1/2	38 1/4	38 1/2	+ 1/8

NEW YORK BOND MARKET

Keith B. F. ref. 646	103	103	103	+ 1/4
Loew's def. 3 1/2%	104	103 3/4	103 3/4	—
Para. B'way 3 1/2%	104	103 3/4	103 3/4	—
Para. Picts. 6555	92 1/2	92 1/4	92 1/2	—
Para. Picts. cv. 3 1/2%	92 1/2	92 1/4	92 1/2	—
Warner Bros. db. 648	86	86	86	—

NEW YORK CURB MARKET

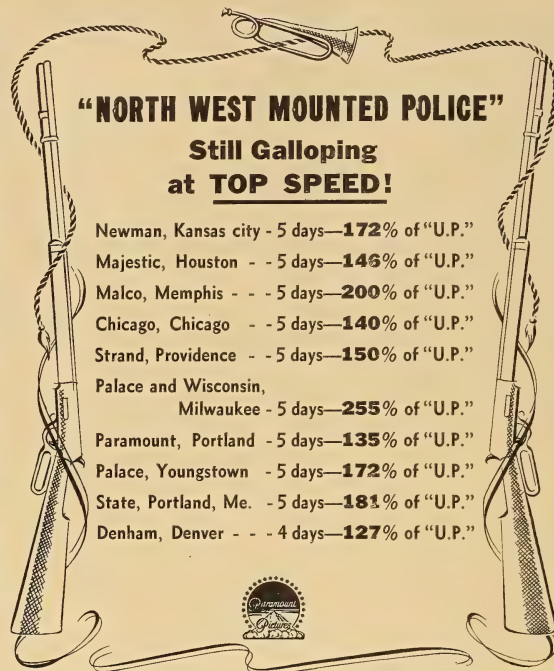
Monogram Picts.	13	13	13	+ 1/8
Home Corp.	9	8 3/4	9	+ 3/8
Technicolor	3	3	3	+ 3/8
Trans-Lux	3 1/2	3 1/4	3 1/2	+ 1/8
Univ. Corp. vtc.	3 1/2	3 1/4	3 1/2	+ 1/8
Universal Pict.	3 1/2	3 1/4	3 1/2	+ 1/8

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. '45	Bid	Asked
Roxy Theat. Bldg. 45 1st '57	65 1/2	67 1/2
	62	64

Three RKO Theaters Will Add "Name" Bands, Vaude

RKO's Coliseum, Royal and Hamilton Theaters will inaugurate "name" bands and vaudeville starting Tuesday night. Bands will be added to the regular film shows every Tuesday and Wednesday nights at the Coliseum, while the Royal will play vaudeville Tuesday nights. The Hamilton will offer vaudeville Tuesdays and Wednesdays.



"NORTH WEST MOUNTED POLICE"

Still Galloping at TOP SPEED!

Newman, Kansas city - 5 days—172% of "U.P."
Majestic, Houston - - 5 days—146% of "U.P."
Malco, Memphis - - - 5 days—200% of "U.P."
Chicago, Chicago - - - 5 days—140% of "U.P."
Strand, Providence - - 5 days—150% of "U.P."
Palace and Wisconsin, Milwaukee - 5 days—255% of "U.P."
Paramount, Portland - 5 days—135% of "U.P."
Palace, Youngstown - 5 days—172% of "U.P."
State, Portland, Me. - 5 days—181% of "U.P."
Denham, Denver - - - 4 days—127% of "U.P."



Leadership

... an answer

(Continued from Page 1)

will produce training pictures for the Army, the subjects varying in length from a single reel to five reels.

It is a fact that an existing temporary industry organization for defense participation is in the process of giving way to a permanent one.

And it is a fact that it was the industry which, acting wholly on its own initiative, at the instigation of H. M. Warner, determined to meet the serious threat to national unity engendered by the heat and issues of the closing Presidential campaign, by placing on all domestic screens an urgent post-election plea to all Americans to close ranks behind the next President, whether Roosevelt or Wilkie.

Weak leadership? Montgomery simply doesn't know his industry.

UA and Columbia Sharing Costs of Unity Trailer

United Artists and Columbia were added yesterday to the roster of companies joining in the sponsorship of the "Plea for National Unity" post-election trailer which will go on 7,000 American screens. Two companies will not distribute the trailer, however, although sharing in the costs. Distribution will be by Metro, Para., Warners, 20th-Fox and RKO.

NBC Will Telecast Election Day Returns

National Broadcasting Company will telecast the presidential election returns on Tuesday over W2XBS, it was stated yesterday by Niles Trammell, president. This will be the first time that tele has served this purpose.

The program experiment will begin in the evening, probably with the regular radio news commentary of Lowell Thomas at 6:45 p.m. Thereafter Baukhage, NBC's Washington correspondent, will give a running interpretation of the presidential vote. In addition, Earl Godwin, H. V. Kaltenborn, Raymond Clapper and John B. Kennedy are expected to make appearances before the cameras.

The election telecast will conclude the political series that began with the Republican convention in Philadelphia last June.

SEC Reports Col. Salaries Of 2 Stars and a Director

The SEC yesterday made public the salaries paid by Columbia during 1939 to two of its stars and one director, as reported in the company's annual statement.

Cary Grant was paid \$206,250 and Loretta Young \$170,000 while Director Wesley Ruggles received \$199,999.

COMING and GOING

LYNN FARNOL and TIM DURANT have returned to New York from Chicago.

CECIL B. DEMILLE, left yesterday for the Coast. MRS. DEMILLE, GLADYS ROSSON, his secretary, and WILLIAM H. PINE, his associate producer, on "Northwest Mounted Police," accompanied him.

H. M. RICHEY returns to New York tomorrow from Columbus, O.

JOHN HUBBARD is here from the Coast.

WILLIAM J. HEINEMAN, Western division sales manager for Universal, leaves New York tonight for Montana where he will spend a vacation on a hunting trip.

NUNNALLY JOHNSON returns to the Coast soon.

NAT HOLT, of RKO's Cleveland office, is at the Warwick.

JOAN BENNETT has returned to the Coast.

JAN KIEPURA arrives here today on the Santa Rosa from South America.

MIRIAM HOPKINS has arrived here from Hollywood.

WALTER ABEL flies to the Coast today via TWA.

ORSON WELLES left speaking dates in both San Antonio and Houston yesterday, with Oklahoma City his next stop.

NORMAN ELSON, sales manager of Film Alliance of the U. S., left yesterday to confer with franchise holders.

BEN KALMENSON, has returned after completion of several circuit film deals, in the Chicago territory.

N. C. WRISLEY, New Haven premium distributor, back from a factory trip to Ohio and West Virginia.

Fort Worth First-Runs Eliminate Money Games

Fort Worth, Tex.—"Buck Nite," a weekly money giveaway feature at the Worth, Hollywood, Palace, and Majestic, Interstate first-run theaters for the past two years, has been discontinued. However, the Tivoli, Parkway, and Varsity, Interstate nabes, are continuing their twice weekly Buck Nites, which have much smaller giveaways than the first-run theaters had.

Would Stop Operators' Picketing

Milwaukee—Partnership operating the newly opened Newsreel Theater is seeking circuit court injunction to restrain the motion picture projectionists union from picketing the house. Operators of the theater contend they employ no outside help and that no labor dispute exists.



NATIONWIDE—BUT
NOT TOO BIG FOR
FRIENDLY SERVICE!

Postal Telegraph

CHARGES FOR TELEGRAMS 'PHONED IN
APPEAR ON YOUR TELEPHONE BILL.

K-A-O 52 Weeks' Net Up \$101,860

(Continued from Page 1)

stock. This compares with \$476,540.75 for the 39 weeks in 1939.

B. F. Keith Corp.'s 39-week net profit was \$279,685.05, compared with a 1939 net for the same period of \$156,571.73.

For the 52 weeks ended Sept. 28, last, B. F. Keith Corp. and subsidiaries show a net profit of \$698,385.20, compared with \$540,301 for the 52 weeks in the 1939 period. K-A-O and subsidiaries reported a net profit of \$989,346.15, compared with \$887,486 last year.

Exhib.. Offers Free Passes; Sun. Pix Vote Move Flops

(Continued from Page 1)

erendum by inserting paid advertisements urging the public to "come at will this week to be our guests in a clean and modern theater." Swick also sponsored a letter writing contest with the subject "Why We Should Have Sunday Movies in Rensselaer."

Protestant clergymen, however, nullified Swick's efforts by appealing to the county Board of Elections and securing a legal opinion that the referendum was invalid. The Board followed up by removing the question from the city's voting machines.

Until the nullification move, Swick and proponents were conducting a house-to-house canvass for votes, while opponents were doing likewise.

Swick, who took over the theater from Roger Marmon recently, maintains there is no ordinance banning Sunday exhibitions in Rensselaer and may make a test case of the matter shortly. The present city administration is in favor of Sunday exhibitions but the ordinance has been blocked time after time by church groups.

Greer Garson With Pidgeon

West Coast Bureau of THE FILM DAILY

Hollywood—Greer Garson will appear next in "Blossoms In The Dust," with Walter Pidgeon. Mervyn LeRoy will direct for Metro. Irving Asher is the producer.



● ● ● PATERSON, N. J., went ga-ga last night.....over the opening at the Fabian Theater of Universal's "One Night In The Tropics".....which starred the capable Allan Jones, Nancy Kelly, the team of comics, Bud Abbott and Lou Costello.....(the latter a native of the premiere city).....and Robert Cummings, romantic hero of "Spring Parade".....Not even the sharp rain.....could dampen the ardor of the Jersey folk.....for this event which was the first of its kind.....in civic annals.....Outside the theater.....dense throngs gathered.....to get a peek at the Hollywood luminaries on hand for the event.....and to cheer the exec. personnel of Universal.....who crossed the Hudson to add lustre to the proceedings.....

● ● ● NEW York's trade and nooze scribes were on hand in force.....both for the banquet in the Alexander Hamilton Hotel.....and the premiere itself.....whose proceeds went to the Paterson Community Chest.....and to a special charity for the rebuilding of the local Church of St. Anthony.....From Universal's home office came President Nate Blumberg, William A. Scully, Publicity Solon Lou Pollock (who spoke at the banquet).....and other company magnates.....Mayor William Furrey saw to it that Paterson was in full support and civic array.....the township not only being in bright festive garb.....but also enjoying a half holiday by proclamation.....Of course, the climax of the program of events was the presentation of the picture.....which caused Patersonians to rock the rafters of the Fabian.....with applause and hurrahs.....

● ● ● GOOD example of "when in Rome, do as the Romans":.....Charles Laughton, speaking before some 150 Oklahoma newspaper publishers and ad execs.....launched his talk in very, very British accent.....informing his listeners that he had.....something on his mind about the great West and had to get it off.....Thereupon the wildest "Yipee-ee!" roared from the Laughton larynx.....

● ● ● WE like that W'l ad which Chicago's Adelphi Theater ran a few days ago.....anent a certain WB attraction.....Here 'tis in part:....."Perfect Sound, Clear Vision, Comfortable Seats, Earphones for the Hard-of-Hearing, \$7,000 Ladies' Lounge, Blue and Gold Men's Lounge, a Cordial 'Thank You' by Cashier,—All This And Heaven Too".....

● ● ● TEXAS Bob O'Donnell, v.p. and gen. mgr. of Interstate Theaters.....and also the Chief Barker of Variety Club's Tent No. 17, Dallas.....proclaims completion of plans for the annual New Year's celebration to be staged by the Dallas Tent.....at the Hotel Adolphus, Dec. 31.....Affair will be "An American Party" presented under Paul Shor's direction (he's National Screen Service's division mgr.).....and featuring a cavalcade of American music, songs, dances and entertainment.....

● ● ● STUFF:.....Edward P. "Ted" Curtis is taking a year's leave of absence from Eastman Kodak to serve with the U. S. Army Air Corps in Washington (Ted was one of the greatest aerial aces for Uncle Sam during World War No. 1).....French Cinema Center's Andre R. Heymann has dispatched invites to premiere of "Heritage" set for Monday night, Nov. 4, at the local Belmont Theater.....Ted Green is making a drive for the tin collection-containers of the British-American Ambulance Corps to go into N. Y. pic theaters....."Jeannie" is in rehearsal for run at Paper Mill Playhouse, Milburn, N. J., and Producer Frank Carrington plans to give it a Buway whirl later (Robert Allen, 20th-Fox player, is the drama's star).....

H'wood Sees Prod'n Boom Under Decree

(Continued from Page 1)

crowd 18 months' normal production into a year's time.

That means, it is felt, that where a major studio ordinarily might have six or eight features under way, it will be forced to step up the number to 12.

It is easy to visualize, execs. say, just what this will do to the demand for first-rate writers, directors, players and others whose services and talents are required in picture-making. Especially, producers say, to stars whose b.o. pulling power places them in the top ranks.

In some quarters, there is a tendency to wonder if there actually are enough of the latter to go around, in view of the complaints in the past that they already are too few.

Nevertheless, Hollywood is preparing, and has been preparing indeed for some time, to meet the situation presented by the proposed decree. There is every indication that pictures to be placed in the first blocks of five for 1941-42 will be completed in June, and ready for trade showing.

The decree's impact upon production and studio policies is expected to bring, sooner or later, the end of the "B" feature. And if and when that transpires, it is Hollywood's— or at least a reasonable segment's—hunch that double features will fade.

Fonda, Stewart, Milland Among 16 Film Draffees

(Continued from Page 1)

Holden, Phil Terry, Rod Cameron and Don Castle; at 20th Century-Fox, Henry Fonda; at M-G-M, James Stewart; at Universal, Broderick Crawford; at RKO, Richard Carlson, James Craig; at Columbia, Richard Fisk, Stanley Brown, Donald Douglas; Sterling Holloway, appearing in "Cheers for Miss Bishop," Richard A. Rowland production for United Artists; at Republic, Bob Livingston.

A. M. Schuman III

Bridgeport, Conn.—A. M. Schuman, president of Allied of Connecticut and operator of Black Rock here, is confined to his home with the gripe.

1,300 at Scranton Dinner for Walker

Scranton, Pa.—Postmaster General Frank C. Walker was fêted at a festi-nomial dinner tendered by the Lackawanna County Democratic Committee at the Hotel Casey here with 1,300 in attendance. Tribute was paid Walker by Sam Rayburn, speaker of the House; David L. Lawrence, national Democratic committeeman from Pennsylvania; Lackawanna County District Attorney M. J. Egan, who was toastmaster; Lackawanna County Democratic Chairman Joseph A. Linnen and Rep. Patrick A. Boland. President Roosevelt, Mayor LaGuardia of New York and National Democratic Chairman Edward J. Flynn were among those who sent congratulatory messages.



OCTOBER 31
Lawrence Grant
Albert D. Levin

Blocks of 5 No Cure, Myers Tells Ohio ITO

(Continued from Page 1)

one desirable picture with four unwanted ones," Abraham F. Myers, general counsel for national Allied, told the Independent Theater Owners of Ohio in annual convention here yesterday at the Desher Wallick Hotel.

Myers said he spoke for "an overwhelming majority of independent theater owners" in condemning the consent decree in the Government's New York equity suit. Explaining the decree in detail, he insisted that no exhibitor had anything to do with the decree, and questioned how it could begin to solve the long controversial problem of block-booking.

Kelly Urges Quality Film

Address of Arthur W. Kelly, vice-president of United Artists, was one of the highlights of the initial session.

"One cannot foresee tremendous profits from the industry," he said, "unless of course they are fortunate enough to produce and distribute a G.W.I.W. While a fair return on the capital should be the order of the day, at the same time it might be sacrificed to keep up the quality of motion pictures for the domestic market. It is important at this stage that every branch of the industry should take cognizance of each other's troubles so that the proper readjustment, if found necessary, can be brought about without creating havoc."

Purpose of the AID

"Ultimate purpose of the AID is to provide exhibitors with data on their own business and comparable to that possessed by film salesmen," was the tongue-in-the-cheek remark used by Sidney Samuelson of Philadelphia to keynote his explanatory talk on the functions of the new Allied committee.

Stating that the distributors have known more about the exhibitors' business than the owners themselves—this since Adolph Zukor had his famous survey conducted in 1920—Samuelson said it was about time the operators knew something about existing conditions. AID, he stated is prepared to supply this information, with the co-operation of each exhibitor, adding "we contemplate no lynching, but will be firm with no monkeyshines."

Prexy Smith's Address

Prexy Martin G. Smith of Toledo in his address opening the convention, ignored precedent and chose to issue a plea that all "go to the polls Tuesday and exercise your God-given right to the suffrage." Asserting "this may be the last time in this century that free men will determine what man and what principles shall govern them," Smith said his organization had gone on record for one particular candidate because "America is going to be saved by millions of Americans—by you and by me working together for the common good—or else it is not going to be saved."



REVIEWS OF THE NEW FILMS



"Escape"

with Norma Shearer, Robert Taylor, Conrad Veidt, Nazimova

M-G-M 104 Mins.

STRONG ROMANTIC DRAMA WITH DYNAMIC ACTION AND ACTING; MANY ASSETS MAKE IT FINE B.O. BET.

Multiple sources supply the power of this screen version of Ethel Vance's novel. First, its story moves against the stark background of the Nazi concentration camp approximately a year before the outbreak of the current hostilities in Europe; hence the setting and the action strike the most sensitive of chords in American audience hearts,—that of pity for the oppressed and indignation toward the oppressors.

Secondly, few films have succeeded like this one in keeping suspense and emotion in constant progression, which effect is achieved by the interplay of drama and melodrama. The latter springs into being chiefly in the climactic sequences, but it is melodrama that belongs, inasmuch as the purpose of the feature is to entertain.

Thirdly, and by no means least, a prominent power-source is the cast. This is carefully chosen; uncommonly skillful; a "natural" to satisfy fans; and a great magnet to bring customers to the boxoffice. Additionally Mervyn LeRoy's direction is superb, and the photography a delight. Much of the effectiveness of the physical footage can be traced to the excellence of sets and set decorations.

"Escape" is a big, swift and rugged picture recounting the tragic search of Robert Taylor, an American citizen, for his actress mother, Nazimova, who has without his knowledge been sent to a Nazi concentration camp to be executed for alleged treason. During Taylor's search for his parent, he meets Norma Shearer, cast in the role of Countess Von Treck,—widowed "companion" of the harsh General Kurt Von Kolb, enacted by Conrad Veidt.

Although preoccupied with more urgent affairs, Taylor and Miss Shearer fall in love, despite the perils attached thereto. On the eve of Nazimova's execution, Philip Dorn, a prison camp doctor, sympathetically administers a drug to her which enables Taylor to take his supposedly deceased mother away in the crude coffin. Their rendezvous of safety is the home of Norma Shearer, who inherently detests the Nazis, and it is she who collaborates in making possible Taylor and Nazimova's escape to the border by plane.

Although there is an intimation of the Shearer-Taylor romance culminating in marriage later on in the free air of America, the feature ends with her remaining beside her Nazi General as he slumps into death from a heart attack, following his last frantic efforts to have the fleeing Taylor and Nazimova arrested. Characterizations are convincing and splendidly wrought. Miss Shearer is an eye-fall and essays her role with that ability which characterizes her best performances of the past.

"Escape" is a valuable exhibition property which is first-rate fare for all houses. They, Metro and the public will be better for its making.

CAST: Norma Shearer, Robert Taylor, Conrad Veidt, Nazimova, Felix Bressart, Albert Bassermann, Philip Dorn, Bonita Gran-

"East of the River"

with John Garfield, Marjorie Rambeau, Brenda Marshall

Warners 73 Mins.

JOHN GARFIELD AND THE LAW TANGLE AGAIN IN MODERATELY ENTERTAINING MELODRAMA.

John Garfield and the law tangle again might well have been the title of this picture, but despite its familiar theme it is a moderately entertaining melodrama. The cast is able and the story has a few new twists that are effective. Garfield and Miss Rambeau, Miss Marshall and William Lundigan are explicable names, and the cops and robbers angle presents exploitation possibilities.

Performances by the principals are on the plus side in the acting ledger and Miss Rambeau wins her battle with a heavy Italian accent, making it entirely creditable. George Lombas stanzas out in a supporting role, and Moroni Olsen, Douglas Fowley, Jack La Rue, Paul Guilfoyle and Russell Hicks are effective in bits. Alfred E. Green directed from a screenplay by Fred Niblo, Jr.

Garfield finishes a stretch in San Quentin and comes East, accompanied by Miss Marshall, his "girl friend," to see his adopted promoter, Lundigan, graduate from college. Miss Marshall becomes a new woman when she lives with "decent" people, and Garfield spends his time planning to get even with rowley and La Rue, who purportedly framed him into jail. Garfield gets his revenge, but Fowley doesn't get caught and Garfield leaves town. Time passes and he learns that Lundigan is going to marry Brenda. He returns, tries to break up the wedding, is talked out of it by Miss Rambeau and sneaks Fowley's gunmen by getting arrested for slugging a cop.

CAST: John Garfield, Brenda Marshall, Marjorie Rambeau, William Lundigan, George Lombas, Moroni Olsen, Douglas Fowley, Jack LaRue, Jack Carr, Paul Guilfoyle, Russell Hicks, Charley Foy, Ralph Volkie, Jimmy O'Gatty, Robert Homans, Joe Conti, O'Neill Nolan.

CREDITS: Associate Producer, Harlan Thompson; Director, Alfred E. Green; Screenplay, Fred Niblo, Jr.; Original Story, John Fante and Ross B. Wills; Cameraman, Sid Hickox; Editor, Thomas Pratt.

DIRECTION, O.K. PHOTOGRAPHY, Good.

Balaban Drive Breakfast

Chicago—B & K managers were guests of the circuit at a Blackstone Hotel breakfast yesterday, when plans for the Barney Balaban Fifth Anniversary business drive for the Chicago territory were outlined.

ville, Edgar Barrier, Elsa Bassermann, Blanche Yurka.

CREDITS: Director, Mervyn LeRoy; Author, Ethel Vance; Screenplay, Arch Oboler, Marguerite Roberts; Director of Photography, Robert Plank; Recording Director, Douglas Shearer; Art Director, Cedric Gibbons; Associate, Urie McCleary; Set Decorations, Edwin B. Wells; Gowns, Adrian; Men's Costumes, Gile Steele; Make-Up, Jack Dawn; Film Editor, George Boimler.

DIRECTION, Expert. PHOTOGRAPHY, Fine.

"Mercy Plane"

with James Dunn, Frances Gifford, Matty Fain

Producers Distributing Corp. 72 Mins.

RACKET STORY WITH A COUPLE OF NEW TWISTS WILL GO BEST WITH THE JUVENILE TRADITION.

This racket story with a couple of new twists rates as fair entertainment; it will go best with the juvenile trade, which will find the theme of stolen planes sold to foreign governments right up its alley. Cast is adequate and production value is okay for the picture's budget range.

James Dunn and his wife, Frances Gifford, head the cast. Dunn is breezy and capable, and Miss Gifford is attractive and personable. Matty Fain provides the gangster menace. William Pawley, Harry Harvey and Forbes Murray are helpful in supporting roles. Richard Harlan directed, making the most of his material.

Dunn, crack flier and racing plane pilot, is continually beaten in air races by Miss Gifford as his plane has mysterious accidents. He finally has to go to work for a plane factory to get money to continue racing. A hospital plane with a new invention which makes landing easy in a small field is stolen the morning Dunn is to test it. He is accused of complicity in the theft and fired. Miss Gifford gets her brother, Pawley, to give him a job. One thing leads to another and Fain and Pawley are uncovered by Dunn as the plane thieves.

CAST: James Dunn, Frances Gifford, Matty Fain, William Pawley, Harry Harvey, Forbes Murray, Edwin Miller, Duke York.

CREDITS: Associate Producer, Sigmund Neufeld; Director, Richard Harlan; Original Screenplay, William Lively; Cameraman, Jack Greenhalgh; Editor, Holbrook N. Todd.

DIRECTION, O.K. PHOTOGRAPHY, Good.

Central New York Exhibs. To Form MPTO Unit Today

Syracuse, N. Y.—Organization of the Central New York unit of the MPTO of the State of New York will be completed at a luncheon meeting called for the Hotel Syracuse here today, with Prexy A. Charles Hayman of Buffalo presiding.

Exhibs. in Binghamton, Whiteley Point, Homer, Skaneateles, Marcellus, Auburn and Interlaken have been invited.

Officers and directors for the Syracuse area will be elected, and immediate policies of the MPTO outlined.

Showmen's Club Open House

Philadelphia—Showmen's Club will hold open house on Nov. 6 to show off the organization's new club quarters at 1315 Vine St. An official opening of the rooms will be held two days later.

First meeting in the new quarters was held last week. David Starckman, Louis Berger and Samuel Rosen were elected to the board.

Mr. Exhibitor, have you a few minutes screen time and a little lobby display space to help us?



The entire Motion Picture Industry is backing the Annual Membership Drive of the American Red Cross, beginning November 11. The amount of cooperation requested is little, the help it will provide is mighty!

—WHAT YOU DO:—

FIRST: You run a 400 foot trailer featuring Deanna Durbin, the 1st week of the Drive!

SECOND: You run a 100 foot trailer follow-up featuring Priscilla Lane, the 2nd week of the Drive. **THIRD:** During these two weeks you

display Red Cross flags, banners, etc., all furnished to you by your local Red Cross Chapters.

FOURTH: Permit Red Cross representatives in your lobbies to answer questions on the Drive and accept such memberships as volunteer.

No Collections!

No Solicitations!

The Film Daily's Calendar

A list of English-speaking features released since June 27, 1940, by companies. Arranged by FILM DAILY review. Names are the principal players in the cast. Complete casts and

COLUMBIA

Return of Wild Bill, 60 mins. 6-27-40
FD: 7-10-40. Bill Elliott, Iris Meredith, George Lloyd

West of Abilene, 58 mins. 10-21-40
FD: 7-17-40. Charles Starrett, Marjorie Cooley, Don Beddoe

Girls of the Road, 61 mins. 6-20-40
FD: 7-24-40. Ann Dvorak, Helen Mack, Lola Lane

Fugitive From a Prison Camp, 59 mins. 9-5-40
FD: 8-6-40. Jack Holt, Marian Marsh, Phillip Terry

Military Academy, 66 mins. 7-18-40
FD: 8-6-40. Tommy Kelly, Bobby Jordan, David Holt, Jackie Searl

The Fight For Life, 69 mins. 3-18-40
FD: 3-18-40. Myron McCormick, Storrs Haynes

He Stayed for Breakfast, 89 mins. 8-22-40
FD: 8-12-40. Loretta Young, Mervyn Douglas, Una O'Connor

Secret Seven, The, 62 mins. 8-8-40
FD: 8-15-40. Bruce Bennett, Florence Rice, Barton MacLane

Durango Kid, The, 60 mins. 8-15-40
FD: 8-23-40. Charles Starrett, Luana Walters, Kenneth MacDonald

Howards of Virginia, The, 122 mins. 8-29-40
FD: 9-3-40. Cary Grant, Martha Scott, Sir Cedric Hardwicke

Out West with the Peppers, 62 mins. 6-30-40
FD: 9-5-40. Edith Fellows, Dorothy Peterson

Thundering Frontier, 57 mins. 12-5-40
FD: 9-16-40. Charles Starrett, Iris Meredith

I Married Adventure, 78 mins. 7-24-40
FD: 9-25-40. Mr. and Mrs. Martin Johnson

Before I Hang, 71 mins. 9-17-40
FD: 10-4-40. Boris Karloff, Evelyn Keyes, Bruce Bennett

Blondie Has Servant Trouble, 70 mins. 7-25-40
FD: 10-9-40. Penny Singleton, Arthur Lake, Larry Sims

So You Won't Talk, 69 mins. 10-17-40
FD: 10-17-40. Joe E. Brown, Frances Robinson, Tom Dugan

M-G-M

New Moon, 105 mins. 6-28-40
FD: 6-18-40. Jeanette MacDonald, Nelson Eddy, Mary Boland

Captain Is a Lady, The, 63 mins. 6-21-40
FD: 6-26-40. Charles Coburn, Beulah Bondi, Virginia Grey

Andy Hardy Meets Debutante, 86 mins. 7-5-40
FD: 7-2-40. Mickey Rooney, Judy Garland, Lewis Stone

Pride and Prejudice, 157½ mins. 8-2-40
FD: 7-9-40. Greer Garson, Laurence Olivier, Mary Boland

We Who Are Young, 79 mins. 7-19-40
FD: 7-16-40. Lana Turner, John Shelton, Gene Lockhart

Sporting Blood, 82 mins. 7-12-40
FD: 7-24-40. Robert Young, Maureen O'Sullivan

Boom Town, 116 mins. 8-30-40
FD: 8-6-40. Clark Gable, Spencer Tracy, Claudette Colbert, Hedy Lamarr

I Love You Again, 99 mins. 8-9-40
FD: 8-8-40. William Powell, Myrna Loy, Frank McHugh

Gold Rush Maisie, 82 mins. 7-26-40
FD: 9-6-40. Ann Southern, Lee Bowman, Slim Summerville

Wyoming, 89 mins. 9-13-40
FD: 9-10-40. Wallace Beery, Leo Carrillo, Ann Rutherford

Dr. Kildare Goes Home, 78 mins. 9-6-40
FD: 9-11-40. Lionel Barrymore, Lew Ayres, Laraine Day

Strike Up the Band, 120 mins. 9-20-40
FD: 9-17-40. Mickey Rooney, Judy Garland, Paul Whiteman

Dulcy, 64 mins. 10-4-40
FD: 10-3-40. Ann Southern, Ian Hunter, Roland Young

Third Finger, Left Hand, 60 mins. 10-11-40
DR: 10-11-40. Myrna Loy, Mervyn Douglas, Leo Bowman

Escape, 104 mins. 11-1-40
FD: 10-31-40. Norma Shearer, Robert Taylor, Conrad Veidt, Nazimova

Hullabaloo, 77 mins. 10-25-40
FD: 10-29-40. Frank Morgan, Virginia Grey, Dan Dailey, Jr.

MISCELLANEOUS

After Mein Kampf—? (Crystal Pictures), 69 mins. 9-20-40. Semi-factual British production

Time in the Sun (World Pictures), 55 mins. 9-30-40
FD: 10-8-40. Historical-social document of Mexico

Mozart (Mozart Film Co.), 76 mins. 10-8-40. Stephen Haggard, Victoria Hopper, John Loder

Here Is Ireland (Irish-American Film Corp.), 11 mins. 10-9-40. Travelogue in color

Torso Murder Mystery (Arthur Ziehm, Inc.), 70 mins. 10-23-40
FD: 10-25-40. Bruce Cabot, Tamar Desni

Face at the Window, The (Arthur Ziehm, Inc.), 65 mins. 10-23-40
FD: 10-25-40. Tod Slaughter, Marjorie Taylor

Let George Do It (Film Alliance of U. S.), 73 mins. 8-31-40
FD: 10-25-40. George Formby, Phyllis Calvert

Mercy Plane (Producers Distrib. Corp.), 72 mins. 10-31-40. James Dunn, Frances Gifford

MONOGRAM

Last Alarm, The, 61 mins. 6-25-40
FD: 6-25-40. J. Farrell MacDonald, Polly Ann Young, Warren Hull

Land of Six Guns, 54 mins. 5-2-40
FD: 6-26-40. Jack Randall, Louise Stanley

Golden Trail, The, 52 mins. 7-3-40
FD: 7-8-40. Tex Ritter, Slim Andrews, Ina Guest

Boys of the City, 63 mins. 7-15-40
FD: 7-22-40. Bobby Jordan, Leo Gorcey, Dave O'Brien

Haunted House, The, 70 mins. 7-22-40
FD: 7-23-40. Jackie Moran, Marcia Mae Jones, Geo. Cleveland

Laughing at Danger, 63 mins. 8-12-40

FD: 8-20-40. Frankie Darro, Joy Hodges, Mantan Moreland

Doomed to Die, 67 mins. 8-12-40
FD: 9-3-40. Boris Karloff, Grant Withers, Marjorie Reynolds

Who Is Guilty?, 69 mins. 9-2-40
FD: 9-6-40. Ben Lyon, Syd Walker, Terence de Marney

Range Busters, The, 53 mins. 8-22-40
FD: 9-9-40. Ray Corrigan, John King, Max Terhune

Rainbow Over the Range, 62 mins. 6-29-40
FD: 9-10-40. Tex Ritter, Warner Richmond

Kid from Santa Fe, The, 57 mins. 5-23-40
FD: 9-20-40. Jack Randall, Clarence Curtis

That Gang of Mine, 62 mins. 9-23-40
FD: 10-3-40. East Side Kids, Joyce Bryant

Drums of the Desert, 64 mins. 10-7-40
FD: 10-9-40. Ralph Byrd, Lorna Gray, Mantan Moreland

Little Miss Molly, 64 mins. 10-10-40
FD: 10-10-40. Maureen O'Hara, Binkie Stuart, Tom Burke

Trailing Double Trouble, 56 mins. 10-15-40
FD: 10-15-40. Ray Corrigan, John King, Max Terhune

Old Swimmin' Hole, The, 75 mins. 10-14-40
FD: 10-23-40. Jackie Moran, Marcia Mae Jones, Leatrice Joy

Ape, The, 62 mins. 9-30-40
FD: 10-25-40. Boris Karloff, Maris Wrixon

Arizona Frontier, 60 mins. 8-19-40
FD: 10-28-40. Tex Ritter, Slim Andrews, Frank LaRue

PARAMOUNT

Way of All Flesh, 86 mins. 7-5-40
FD: 6-11-40. Akim Tamiroff, Gladys George, Wm. Henry, Muriel Angelus

Ghost Breakers, The, 82 mins. 6-21-40
FD: 6-13-40. Bob Hope, Paulette Goddard, Richard Carlson

Untamed, 83 mins. 7-26-40
FD: 7-2-40. Ray Milland, Patricia Morison, Akim Tamiroff

Queen of the Mob, 61 mins. 6-28-40
FD: 7-3-40. Ralph Bellamy, Blanche Yurka, J. Carol Naish, Jean Cagney

Stagecoach War, 63 mins. 7-12-40
FD: 7-10-40. William Boyd, Russell Hayden, Harvey Stephens

Great McGinty, The, 81 mins. 8-23-40
FD: 7-23-40. Brian Donlevy, Muriel Angelus, Akim Tamiroff

Mystery Sea Raider, 78 mins. 8-9-40
FD: 8-5-40. Carole Landis, Henry Wilcoxon, Onslow Stevens

Golden Gloves, 69 mins. 8-2-40
FD: 8-5-40. Richard Denning, Jean Cagney, J. Carol Naish

Rhythm on the River, 92 mins. 9-6-40
FD: 8-20-40. Bing Crosby, Mary Martin, Oscar Levant

Three Men from Texas, 70 mins. 11-15-40
FD: 10-10-40. William Boyd, Russell Hayden, Andy Clyde

Rangers of Fortune, 80 mins. 10-11-40
FD: 9-19-40. Fred MacMurray, Patricia Morison, Albert Dekker

Christmas in July, 70 mins. 10-18-40
FD: 9-20-40. Dick Powell, Ellen Drew, Ernest Truex

Comin' Round the Mountain, 80 mins. 8-16-40
FD: 10-3-40. Bob Burns, Una Merkel, Jerry Colonna

I Want a Divorce, ... mins. 9-20-40
FD: 10-4-40. Joan Blondell, Dick Powell, Gloria Dickson

World in Flames, 60 mins. 10-14-40. Documentary from news-reel shots

Arise My Love, 113 mins. 10-17-40
FD: 10-17-40. Claudette Colbert Ray Milland, Walter Abel

Quarterback, 74 mins. 10-17-40
FD: 10-17-40. Wayne Morris, Virginia Dale

Northwest Mounted Police, 125 mins. 11-22-40
FD: 10-22-40. Gary Cooper, Madeleine Carroll, Paulette Goddard

PRODUCERS RELEASING CORP.

Hold That Woman, 64 mins. 7-15-40
FD: 7-12-40. James Dunn, Frances Gifford

Marked Men, 66 mins. 8-28-40
FD: 9-23-40. Warren Hull, Isabel Jewell, John Dilon

Gun Code, 54 mins. 10-17-40
FD: 10-17-40. Tim McCoy, Inna Guest, Alden Chase

RKO RADIO

Millionaires in Prison, 63 mins. 7-12-40
FD: 6-27-40. Lee Tracy, Linda Hayes, Raymond Walburn

Prairie Law, 59 mins. 6-14-40
FD: 6-27-40. George O'Brien, Virginia Vale, Dick Hogan

Cross-Country Romance, 68 mins. 7-19-40
FD: 6-28-40. Gene Raymond, Wendy Barrie, Hedda Hopper

Ramparts We Watch, The, 90 mins. 8-16-40
FD: 7-24-40. John Adair, John Sommers, Julia Kent

Dr. Christian Meets the Women, 68 mins. 7-5-40
FD: 8-5-40. Jean Hersholt, Dorothy Lovett, Edgar Kennedy

One Crowded Night, 68 mins. 8-9-40
FD: 8-16-40. Billie Seward, William Hade, Charles Lang

Lucky Partners, 102 mins. 8-2-40
FD: 8-19-40. Ronald Colman, Ginger Rogers, Spring Byington

Stage to China, 59 mins. 7-26-40
FD: 8-20-40. George O'Brien, Virginia Vail, Roy Barcroft

Dance, Girl, Dance, 90 mins. 8-23-40
FD: 8-28-40. Maureen O'Hara, Louis Hayward, Lucille Ball

Stranger on the Third Floor, 64 mins. 8-16-40
FD: 9-3-40. Peter Lorre, John McGuire, Margaret Tallichet

Men Against the Sky, 75 mins. 9-6-40
FD: 9-5-40. Richard Dix, Kent Taylor, Wendy Barrie

Dreaming Out Loud, 81 mins. 9-13-40
FD: 9-10-40. Lum 'n' Abner (Chester Lauck, Norris Goff)

I'm Still Alive, 72 mins. 9-27-40
FD: 9-30-40. Kent Taylor, Linda Hayes, Ralph Morgan

Current Feature Releases

ing to date of review. Dates after titles are distributor release dates: FD: indicates date
on credits are included with FILM DAILY reviews. *Indicates Technicolor production.

Beyond Tomorrow, 84 mins.....5-10-40
FD: 9-30-40. Jean Parker, Richard Carl-
son, Harry Carey
Addie, 70 mins.....10-18-40
FD: 10-3-40. Tim Holt, Virginia Gilmore,
Spring Byington
Too Many Girls, 85 mins.....11-1-40
FD: 10-4-40. Lucille Ball, Richard Carl-
son, Ann Miller
They Knew What They Wanted, 96 mins.
10-25-40
FD: 10-9-40. Carole Lombard, Charles
Laughton, William Gargan
Mexican Spitfire Out West, 76 mins.
11-8-40
FD: 10-9-40. Lupe Velez, Leon Errol
Triple Justice, 66 mins.....9-20-40
FD: 10-10-40. George O'Brien, Virginia
Vale, Harry Woods.

REPUBLIC

Refugee, The, 79 mins.....7-3-40
FD: 6-14-40. John Wayne, Sigrid Gurie,
Chas. Coburn
Carson City Kid, The, 57 mins.....6-27-40
FD: 6-19-40. Roy Rogers, George "Gaby"
Hayes, Bob Steele
Wagons Westward, 70 mins.....6-19-40
FD: 6-24-40. Chester Morris, Anita Lou-
ise, Buck Jones, Ona Munson
One Man's Law, 57 mins.....6-29-40
FD: 7-11-40. Don "Red" Barry, Janet
Waldo, Dub Taylor
Scatterbrain, 74 mins.....7-20-40
FD: 8-11-40. Judy Canova, Alan Mow-
bray, Ruth Donnelly
Carolina Moon, 65 mins.....6-15-40
FD: 7-16-40. Gene Autry, Smiley Burn-
ette, June Storey
Girl From God's Country, 71 mins.....7-30-40
FD: 7-23-40. Chester Morris, Jane Wyatt,
Chas. Bickford
Ranger and the Lady, The, 59 mins.
7-30-40
FD: 7-24-40. Roy Rogers, George Hayes,
Jacqueline Wells
Sing, Dance, Plenty Hot, 70 mins.....8-10-40
FD: 8-5-40. Ruth Terry, Johnny Downs
Earl of Puddleston, 67 mins.....8-31-40
FD: 8-14-40. James and Lucille Gleason,
Harry Davenport
Oklahoma Renegades, 57 mins.....7-30-40
FD: 8-15-40. Bob Livingstone, Raymond
Hatton, Duncan Renaldo
Ride Tenderfoot, Ride, 65 mins.....9-6-40
FD: 8-19-40. Gene Autry, Smiley Burn-
ette, June Storey
Colorado, 57 mins.....9-15-40
FD: 9-3-40. Roy Rogers, George "Gaby"
Hayes, Pauline Moore
Girl from Havana, 69 mins.....9-11-40
FD: 9-6-40. Dennis O'Keefe, Claire
Carleton, Victor Jory
Tulsa Kid, The, 57 mins.....8-16-40
FD: 9-6-40. Don "Red" Barry, Noah Beery,
Luana Walters
Under Texas Skies, 57 mins.....9-27-40
FD: 9-16-40. Bob Livingstone, Bob Steele,
Rufe Davis
Young B'ill Hickok, 59 mins.....10-24-40
FD: 9-27-40. Roy Rogers, George "Gaby"
Hayes, Jacqueline Wells
Melody and Moonlight, 72 mins.....10-11-40
FD: 10-3-40. Johnny Downs, Barbara Al-
len (Vera Vague)

Grand Ole Opry, 68 mins.....6-25-40
FD: 10-3-40. Leon Frank, June Weaver
Frontier Vengeance, 57 mins.....10-10-40
FD: 10-7-40. Don "Red" Barry, Betty
Moran
Hit Parade of 1941, The, 86 mins.....10-15-40
FD: 10-15-40. Kenny Baker, Frances
Langford, Hugh Herbert
Trail Blazers, The.....11-11-40
FD: 10-29-40. Robert Livingston, Bob
Steele, Rufe Davis

20th CENTURY-FOX

Manhattan Heartbeat, 72 mins.....7-12-40
FD: 6-5-40. Robert Sterling, Virginia Gil-
more, Joan Davis
Earthbound, 67 mins.....6-7-40
FD: 6-13-40. Warner Baxter, Andrea
Leeds, Lynn Bari
On Their Own, 63 mins.....5-17-40
FD: 6-14-40. Spring Byington, Ken How-
ell, Geo. Ernest
Girl in 313, 56 mins.....5-31-40
FD: 6-17-40. Florence Rice, Kent Tay-
lor, Lionel Atwill
Lucky Cisco Kid, 68 mins.....6-28-40
FD: 6-28-40. Cesar Romero, Mary Beth
Hughes, Chris-Pin Martin
*Maryland, 92 mins.....7-14-40
FD: 7-2-40. Walter Brennan, Fay Bain-
ter, Brenda Joyce, John Payne
Street of Memories, 71 mins.....11-15-40
FD: 7-2-40. Lynn Roberts, Guy Kibbee,
John McGuire
Sailor's Lad, 66 mins.....7-5-40
FD: 7-3-40. Nancy Kelly, Jon Hall, Wally
Vernon
Young People, 78 mins.....8-30-40
FD: 7-15-40. Shirley Temple, Jack
Oakie, Charlotte Greenwood
Man I Married, The, 77 mins.....8-2-40
FD: 7-16-40. Joan Bennett, Francis
Lederer, Lloyd Nolan
Charlie Chan at the Wax Museum, 63 mins
10-6-40
FD: 8-1-40. Sidney Toler, Sen Yung, C.
Henry Gordon
Pier 13, 66 mins.....8-23-40
FD: 8-9-40. Lynn Bari, Lloyd Nolan,
Joan Valerie
*Return of Frank James, The, 92 mins.
8-16-40
FD: 8-12-40. Henry Fonda, Gene Tierney,
Jackie Cooper, Henry Hull
Great Profile, The, 82 mins.....10-25-40
FD: 8-7-40. John Barrymore, Gregory
Rattoff, Mary Beth Hughes
Brinkham Young, 114 mins.....9-27-40
FD: 8-27-40. Tyrone Power, Linda Darnell,
Dean Jagger, Brian Donlevy
Public Deb No. 1, 105 mins.....10-13-40
FD: 9-18-40. Brenda Joyce, George Mur-
phy, Charlie Ruggles
*Down Argentine Way, 94 mins.....10-11-40
FD: 10-4-40. Don Ameche, Betty Grable,
Carmen Miranda
Night Train, 90 mins.....10-18-40
FD: 10-25-40. Margaret Lockwood, Rex
Harrison
Gav Caballero, The, 57 mins.....10-4-40
FD: 10-28-40. Cesar Romero, Sheila Ryan,
Robert Sterling

UNITED ARTISTS

Pastor Hall (Roosevelt), 97 mins.....
FD: 8-1-40. Nova Pilbeam, Sir Seymour
Hicks, Wilfrid Lawson
Captain Caution, (Roach), 85 mins.....8-9-40
FD: 8-2-40. Victor Mature, Louise Platt,
Leo Carrillo
Kit Carson (Small), 97 mins.....8-30-40
FD: 8-27-40. Jon Hall, Lynn Bari, Dana
Andrews, Ward Bond
Foreign Correspondent (Wanger), 119 mins.
8-16-40
FD: 8-29-40. Joel McCrea, Laraine Day,
Herbert Marshall
Westerner, The (Goldwyn), 100 mins.
9-20-40
FD: 9-20-40. Gary Cooper, Walter Bren-
nan, Fred Stone, Doris Davenport
Long Voyage Home, The, 105 mins.....
FD: 10-9-40. John Wayne, Thomas Mit-
chell, Ian Hunter
*Thief of Bagdad, The, 106 mins.....9-27-40
FD: 10-15-40. Conrad Veidt, Sabu, June
Duprez, Rex Ingram
Great Dictator, (The Chaplin) 129 mins..
FD: 10-16-40. Charles Chaplin, Fay-
ette Goddard, Jack Oakie

UNIVERSAL

Private Affairs, 75 mins.....7-5-40
FD: 6-13-40. Hugh Herbert, Nancy Kelly,
Roland Young
Hot Steel, 61 mins.....7-12-40
FD: 6-26-40. Richard Arlen, Andy Devine,
Peggy Moran
You're Not So Tough, 71 mins.....7-26-40
FD: 7-11-40. Nay Grey, Billy Halop,
Huntz Hall
Bovs From Syracuse, The, 73 mins.....8-9-40
FD: 7-15-40. Allan Jones, Joe Penner,
Martha Raye
Fugitive, The, 76 mins.....9-20-40
FD: 7-25-40. Ralph Richardson, Diana
Wynyard
When the Daltons Rode, 80 mins.....7-26-40
FD: 7-29-40. Randolph Scott, Kay Fran-
cisco, Brian Donlevy
I'm Nobody's Sweetheart No, 64 mins.
11-1-40
FD: 8-6-40. Dennis O'Keefe, Constance
Moore, Helen Parrish
Son of Roaring Dan, 63 mins.....7-26-40
FD: 8-9-40. Johnny Mack Brown, Fuzzy
Knight, Nell O'Day
South to Karanga, 59 mins.....8-2-40
FD: 8-14-40. Charles Bickford, James
Craig, Luli Deste
Leather Pushers, The, 64 mins.....9-13-40
FD: 9-5-40. Richard Arlen, Andy Devine
Hired Wife, 93 mins.....9-13-40
FD: 9-9-40. Rosalind Russell, Brian
Aherne, Virginia Bruce, Robert
Benchley
Black Diamonds, 69 mins.....7-19-40
FD: 9-11-40. Richard Arlen, Andy Devine,
Kathryn Adams
Margie, 59 mins.....12-6-40
FD: 9-18-40. Tom Brown, Nan Grey,
Mischa Auer
Spring Parade, 89 mins.....9-27-40
FD: 9-26-40. Deanna Durbin, Robert
Cummings, Mischa Auer

Ragtime Cowboy Joe, 58 mins.....9-20-40
FD: 9-30-40. Johnny Mack Brown, Fuzzy
Knight, Nell O'Day
Diamond Frontier, 71 mins.....10-4-40
FD: 10-4-40. Victor McLaglen, John
Loder, Anne Nagel
Mummy's Hand, The, 67 mins.....9-20-40
FD: 10-4-40. Dick Foran, Peggy Moran,
Wallace Ford
Argentine Nights, 74 mins.....9-6-40
FD: 10-15-40. The Ritz Brothers, The
Andrews Sisters, Constance Moore.
Little Bit of Heaven, A, 87 mins.....10-11-40
FD: 10-16-40. Gloria Jean, Robert
Stack, Hugh Herbert
Meet the Wild Cat, 65 mins.....11-22-40
FD: 10-28-40. Ralph Bellamy, Margaret
Lindsay, Joseph Schildkraut
Slightly Tempted, 60 mins.....10-18-40
FD: 10-28-40. Hugh Herbert, Peggy
Moran, Johnny Downs

WARNER BROS.

All This and Heaven Too, 143 mins. 6-29-40
FD: 6-17-40. Bette Davis, Charles Boyer,
Barbara O'Neil, Jeffrey Lynn
My Love Came Back, 81 mins.....7-20-40
FD: 6-28-40. Olivia de Havilland, Jeffrey
Lynn, Eddie Albert
Man Who Talked Too Much, The, 75 mins.
7-6-40
FD: 7-8-40. George Brent, Virginia
Bruce, Richard Barthelmess
They Drive by Night, 93 mins.....8-10-40
FD: 7-12-40. George Raft, Ann Sheri-
dan, Ida Lupino, Humphrey Bogart
Sea Hawk, The, 127 mins.....8-24-40
FD: 7-23-40. Errol Flynn, Brenda Mar-
shall, Claude Rains
Flowing Gold, 82 mins.....8-31-40
FD: 8-28-40. John Garfield, Frances Far-
mer, Pat O'Brien
River's End, 69 mins.....8-10-40
FD: 8-28-40. Dennis Morgan, George To-
bias, Elizabeth Earl
Ladies Must Live, 58 mins.....7-27-40
FD: 9-5-40. Wayne Morris, Priscilla Lane,
Roscoe Karns
No Time for Comedy, 93 mins.....9-14-40
FD: 9-9-40. James Stewart, Rosalind Rus-
sell, Genevieve Tobin
City for Conquest, 101 mins.....9-21-40
FD: 9-13-40. James Cagney, Ann Sheri-
dan, Frank Craven
Money and the Woman, 67 mins.....8-17-40
FD: 9-18-40. Brenda Marshall, Jeffrey
Lynn, John Littel
Dispatch from Reuter's, A, 89 mins.....10-19-40
FD: 9-24-40. Edward G. Robinson, Edna
Best, Eddie Albert
Knute Rockne—All American, 98 mins.
10-5-40
FD: 10-7-40. Pat O'Brien, Gale Pa-
ge, Ronald Reagan, Donald Crisp
Dispatch from Reuter's, A, 90 mins.
10-19-40
FD: 10-21-40. Edward G. Robinson,
Edna Best, Eddie Albert
Tugboat Annie Sails Again, 77 mins.
10-26-40
FD: 10-29-40. Marjorie Rambeau, Alan
Hale, Jane Wyman
East of the River, 73 mins.....11-30-40
FD: 10-31-40. John Garfield, Marjorie
Rambeau, Brenda Marshall

Myers Sees 100 Pix Ready at New Season's Start

Decree Analysis Assumes Each of Five Majors Will Have Four Groups of Five

(Continued from Page 1)

the institution of the Government suit; Myers, speaking before N. J. Allied, suggested that the "best be made of a bad bargain," but subsequently, Allied's board directed him to oppose the decree's provisions.

Myers, in the bulletin, made a complete analysis of the decree and a clause-by-clause interpretation.

Blocks of Five Arguments

Those who have opposed the selling of pictures in blocks of five based their objections, according to Myers, on the grounds that (a) while it enables exhibitors to choose as between groups of five, distributors can still force unwanted pictures with desirable ones; (b) that it deprives exhibitors of their present cancellation privileges, such as they are; (c) that it threatens the continual flow of product that exhibitors rely on in the operation of their theaters and (d) that it will impose a hardship on exhibitors in having to buy at frequent intervals and may increase prices.

Proponents of the system declare they favor it because (a) whereas he now has to buy from each distributor from 36 to 52 pictures sight unseen, he then will be able to choose as between groups of five concerning which he can obtain all the information he wishes; (b) the requirement that pictures must be trade shown before being offered will place them in the class of perishable commodities and distributors will be under compulsion to sell them as soon as possible, thus adding to the exhibitors' bargaining power; (c) buying will not all be done in the flush days of the Autumn where there is a high price psychology, and some buying can be done between Thanksgiving and Christmas, during Lent and in the hot days of the Summer when exhibitors and distributors alike are singing the blues; (d) the stranglehold of the distributors on the screens will be broken, giving exhibitors greater freedom in shopping around and opening the way for independent producers to enter the market and compete with the Big Eight.

As to "Trade Shows"

Analyzing the "trade show" clause with respect to features released after Aug. 31, 1941, Myers points out that it "does not mean an exhibitor

Consent Decree's Discrimination in Matter Of Arbitration Only Too Patent, ITOA Holds

ITOA, in the current issue of its organ, The Independent, takes pot shots at the proposed New York equity suit consent decree, saying that "if this consent decree gives equal rights to or among independent exhibitors than our name is J. Edgar Hoover." Blast continues:

"The discrimination in the matter of arbitration is only too patent. The decree states that a circuit of more than five theaters cannot arbitrate, thus giving the man with five a tremendous advantage over his competitor who may have six. However, in the Chicago area, where the B & K contempt proceedings are being settled as a result of this suit, this limitation is to be modified. In other words, independent exhibitors in that territory are being given an advantage that similar theater owners in other parts of the country are not being given, simply because there are no contempt proceedings involved."

Adelphi Case Action Waits on N. Y. Decree

(Continued from Page 1)

torneys for Illinois Allied in the Adelphi theater anti-trust case, said yesterday that the case will be kept on the court calendar, until the New York equity suit consent decree is effective. Counsel will study the decree carefully before announcing decision as to whether the Adelphi case will be continued or not. Rosenberg stated if the arbitration setup under the decree handles the cases brought before it impartially, it would remove much cause of complaint by theater owners.

Korda Signs Stallings

West Coast Bureau of THE FILM DAILY

Hollywood—Alexander Korda has signed Laurence Stallings to write the screenplay based on Rudyard Kipling's "The Jungle Book," which is to be the next starring vehicle for Sabu. Zoltan Korda will direct.

must attend the trade showings in order to buy pictures. It merely means that trade shows must be advertised and held so that he may attend them if so minded."

Again in reference to the blocks-of-five clause, Myers states that "an exhibitor may buy from a distributor as many groups of five as the distributor may offer at any one time, but he can't be forced to take one group in order to buy another."

Continuing, Myers asserts that "it is reasonable to suppose that each distributor will have as many pictures completed and trade shown at one time as available capital will permit."

Assuming that four groups are ready at the start of the new season, they together will offer a total of 20 groups or 100 pictures to choose from, Myers writes, adding that the Department of Justice will keep a watchful eye on cases where a desired group is sprinkled with some mediocre pictures, as a penalty for selecting a previous group.

While the \$500 fine that can be levied against a distributor found guilty of forcing foreigners and west-erns does not go to the complaining exhibitor, but into the Arbitration Fund, Myers points out that exchanges will be careful not to violate the provision.

Purpose of selling in single ex-

"Little Three" Complaint In a Wholly New Form

(Continued from Page 1)

an order permitting the amending of the complaint is necessary at this stage in the suit. It is understood that the new complaint has not yet been completed but will be ready for presentation to the Court on Nov. 14.

PRC Sets Seven Pictures For Dec-Jan. Release

Harry Rathner, PRC prexy, announces the following seven releases for December and January:

Dec. 6, "The Devil Bat"; Dec. 13, "Billy the Kid's Gun Justice"; Dec. 20, "Misbehaving Husbands"; Dec. 27, "You Betcha My Life"; Jan. 3, first of "The Lone Rider" series; Jan. 17, "Never Say No" and "Secret Evidence."

Five more pictures are set to go into work shortly.

change districts, the bulletin asserts, is to decentralize buying power by requiring a circuit operating in more than one district to make separate deals as to its theaters in each district.

"Cancellation" Criticism

A criticism of the "cancellation for cause" provision, Myers believes, is the fact that an exhibitor must determine in 10 days after his contract has been approved whether a picture is offensive to patrons. This does not give the public enough time to express itself, he contends.

In regard to the provision on withholding of available prints, Myers believes that the clause cures no evil and offers no remedy. The evil, he says, is in withholding prints from a subsequent run in order to give a prior run a longer clearance than is specified in the contracts.

MPTOA Still to Select Maker of Decree Squawk

Columbus, Miss.—The MPTOA has not as yet determined who will appear to register its opposition to certain provisions of the New York equity suit consent decree before Federal Judge Henry W. Goddard in New York Nov. 14, it was said here yesterday by Prexy Ed Kuykendall.

Better Pix Sending FPC's Earnings Up

(Continued from Page 1)

war contracts and creation of new industries. Young people who have not had adequate incomes in the past few years are beginning to find themselves with a little money to spare for amusement, it was added.

Gross revenues of the corporation have been steadily improving for several months right across Canada, with most improvement shown in centers where there are concentrations of troops or where new war industries have been established. Net earnings, it is learned, are also ahead of last year, but increasing taxation will have some effect in paring net profits which cannot accurately be forecast at the moment.

Net profits after all taxes in 1939 were \$2.09 a share and there is a possibility that this year's higher taxation may keep them from climbing much over that level.

Freeman Names Members Of Pix Defense Committee

(Continued from Page 1)

E. J. Mannix, Samuel Briskin, Y. Frank Freeman for the producers; Jack Chertok and Gordon Hollingshead, for short subjects; Frank Capra, for the Directors' Guild; Edward Arnold, for the Actors' Guild; Sheridan Gibney, for the Writers' Guild; Richard Day, art direction; Major Nathan Levinson, sound; John Arnold, camera; John Nicholas, laboratory; Alfred Newman, music; Charles Boren and Fred Meyers, industrial relations; Jack Lawrence, Howard Strickling, Robert Taplinger, public relations; Mendel Silberberg, counsel.

This committee will serve as advisory group for all film productions within Hollywood for co-operation with various departments of the United States Government.

Erwin Acquires Fairplay

Denver—R. D. Erwin has bought the Fairplay theater in Fairplay, from R. A. Spurlock.

War Dep't Seeking Animation Artists

Additional animation artists are needed by the War Department in connection with its program of instruction through motion pictures on military subjects. The U. S. Civil Service Commission is endeavoring to secure qualified artists to fill the position of senior artist/illustrator in the War Department. Salary of \$2,000 a year is subject to the usual 3½ per cent retirement deduction.

Application must be filed with the Commission's Washington office not later than Nov. 28. If received from States East of Colorado, and not later than Dec. 1, 1940, if received from Colorado and States Westward.

Tough Break, Doc—But Three's a Crowd

Another one of those irrepressible results of having to bill duels—this time from the marquee of the Babylon, L. I. Theater:

"He Stayed For Breakfast" and "Dr. Kildare Goes Home"

(Editor's Note: Patience, Doc!)

THE Film DAILY

FILE COPY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 88

NEW YORK, FRIDAY, NOVEMBER 1, 1940

TEN CENTS

MYERS SEES CIRCUIT EXPANSION 'JOKER' Complete Industry's Setup for Defense Program

Will Provide a Clearing House for Such Plans as May Serve Nation's Needs

Contribution of motion pictures to the nation's defense program will be handled through committees announced yesterday by Francis Harmon, co-ordinator. The industry's voluntary organization is to provide a clearing house for such plans as may best serve the national needs, insofar as the screen is properly concerned, according to



GEORGE J. SCHAEFER

(Continued on Page 7)

Kodak Profits Over 10% Back to Gov't

Rochester—Official announcement was made yesterday by executives of the Eastman Kodak Co., that it would refund to the Government any

(Continued on Page 6)

LaCrosse Theaters Suit Under Way at Madison

Madison, Wis.—Taking of testimony was started here yesterday in U. S. District Court in the case of

(Continued on Page 6)

UA Asks Nazis for 'Dictator' Corrections

United Artists yesterday cabled the Nazi propaganda minister, Dr. Goebbels, asking that he make corrections of German broadcast statements that "The Great Dictator" was playing to "half empty houses" in New York. Message said that the German Consul in New York could verify that a midnight show had to be added at the Capitol to accommodate the abnormally large crowds and that Astor advance sale was over \$50,000, with seats selling eight weeks ahead.

RKO Virtually Closed With All Circuits; Report Sales Running 56% Ahead of 1939

Closing of a product deal with the Minnesota Amusement Co. for RKO's 1940-41 program virtually represents the completion of deals with every important circuit in the U. S. Eighty-two theaters in Minnesota, Wisconsin, North and South Dakota are involved in the Minnesota Amusement transaction. It is reported that RKO's sales currently are running approximately 56 per cent ahead of the corresponding period last year, with more than 6,000 contracts to date.

20th-Fox Reports Loss of \$1,075,611

A consolidated net operating loss of \$1,075,611 after all charges, including provision of \$2,200,000 for reserve against foreign assets, for the 39 weeks ending Sept. 28, was reported yesterday by 20th-Fox. Figure compares to a profit of \$3,152,595 for the first 39 weeks of 1939.

Consolidated net operating loss for the third quarter, ended Sept. 28, was \$1,192,824, including provision of \$1,400,000 for reserve against foreign assets. A loss of \$236,163 was shown by the company for the

(Continued on Page 3)

NWMP at Advanced Prices In 850 Circuit Theaters

Sixteen major circuits controlling more than 850 theaters have booked "Northwest Mounted Police" at advanced admission prices, according to Neil Agnew, Paramount general sales manager.

Among the major theater circuits

(Continued on Page 8)

Ohio ITO May Awake Dormant Neely Bill

By CECIL SANBURY
FILM DAILY Staff Correspondent

Columbus, O.—That the members of the ITO of Ohio may consider it necessary to awaken the dormant Neely anti-block-booking bill was the sentiment of members following a final "bull session" of the annual convention at the Deshler Wallick Hotel yesterday, at which Abram F. Myers, general counsel for national Allied, conducted the question and answer forum. A detailed consideration of the consent decree in the

(Continued on Page 7)

Hays and Kennedy Will Meet Again on U. K. Plan

A second meeting between Will H. Hays, MPPDA head, and Joseph P. Kennedy, ambassador to Great Britain, has been scheduled for the latter part of next week for a further discussion of British monetary and

(Continued on Page 6)

Allied Exec. Claims Seven Words Pull "Teeth," Mark Full D of J Capitulation

Charges that the decree section dealing with acquisition of theaters by circuits has been robbed of all force by the addition of seven words were made by Abram F. Myers in a special bulletin for the information of Allied directors. The seven words, he points out, are those at the end of a sentence which makes exceptions to the ruling against acquiring theaters; namely: "or for ordinary purposes of its business."

In Myers own words, the Allied general counsel wrote, in partially quoting the decree: "No consenting defendant may enter upon a general program of expanding its theater holdings" but this shall not be construed to prevent any defendant from acquiring the theaters or in-

(Continued on Page 3)

Decree and Allied Assailed by Cohen

By JACK SCHUYLER
FILM DAILY Staff Correspondent

Syracuse — A large turnout of local exhibitors perfected organization of the Syracuse Unit of the MPTO of New York State, Inc., with Sidney Grossman as vice-president. Directors are J. Meyer Schine of

(Continued on Page 8)

Would Re-affirm Accord Not to Use Star Ratings

At the instigation of several ad. and pub. directors of the major companies who were in the accord

(Continued on Page 6)

No FILM DAILY as U. S. Goes to Polls

No edition of the FILM DAILY will be published on Tuesday, Nov. 5, Election Day, a legal holiday. Staff correspondents should govern themselves accordingly.

St. Louis Exhibs. for Singles BFC Says Favorable Response Overwhelming

Nazis Pushing Own Pix; Halt French Production

Montreal—Slight hope for revival of French production is held out by Victor Francen, French star, who has just arrived here.

"Pagnol may be able to produce at Marseille," Francen told THE FILM DAILY, "but when Jouve asked permission to reopen in Paris, the Ger-

(Continued on Page 6)

St. Louis — Theater owners and managers of St. Louis County have responded to the multiple feature shutdown demand by the Better Films Council of Greater St. Louis by recording themselves as in favor of their elimination, it was announced yesterday by Mrs. A. F. Burt, founder and honorary president.

Favorable response from the exhib. interests was termed "overwhelming" by Mrs. Burt, who de-

(Continued on Page 6)



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JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEREAU : General Manager

CHESTER B. BAHN : : : : : Editor

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FINANCIAL

(Thursday, Oct. 31)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	8 1/4	8 1/4	8 1/4	+ 1/4
Col. Picts. vtc. (2 1/2%)	5 1/2	5 1/4	5 1/2	+ 1/2
Columbia Picts. pfd.	19 7/8	19 1/2	19 7/8	+ 3/4
Con. Fm. Ind.	92	89 1/2	91 1/2	+ 1/4
Con. Fm. Ind. pfd.	81	81	81	+ 1/4
East. Kodak	137 1/2	135	137 1/2	+ 3
do pfd.	11 1/2	11 1/2	11 1/2	+ 1/4
Gen. Tel. Eq.	27 1/2	26 3/4	27 1/2	+ 1/2
Loeoe, Inc.	27 1/2	26 3/4	27 1/2	+ 1/2
do pfd.	8 1/2	8 1/2	8 1/2	+ 1/4
Paramount	8 1/2	8 1/2	8 1/2	+ 1/4
Para. 1st pfd.	92	92	92	+ 1/4
Para. 2nd pfd.	10 1/2	10	10	+ 1/4
Pathe Film	11 1/2	10 1/2	10 1/2	+ 1/4
RKO	2 3/4	2 3/4	2 3/4	+ 1/4
Century-Fox	5 1/2	5 1/4	5 1/2	+ 1/4
20th Century-Fox pfd.	82 1/2	82	82 1/2	+ 1 1/4
Univ. Pict. pfd.	2 3/4	2 3/4	2 3/4	+ 1/4
Warner Bros.	2 3/4	2 3/4	2 3/4	+ 1/4
do pfd.	2 3/4	2 3/4	2 3/4	+ 1/4

NEW YORK BOND MARKET

Keith B. F. ref. 6s46	103 3/4	103 3/4	103 3/4
Loew's deb. 3 1/2s46	104	103 3/4	103 3/4
Para. B way 3s35	63 1/2	63 1/2	63 1/2
Para. Picts. 6s35	63 1/2	63 1/2	63 1/2
Para. Picts. cv. 3 1/4s47	64 1/2	64 1/2	64 1/2
Warner Bros. dds. 6s48	64 1/2	64 1/2	64 1/2

NEW YORK CURB MARKET

Monogram Picts.	1 1/2	1 1/2	1 1/2	+ 1/4
Sonotone Corp.	9 1/4	9	9	+ 1/4
Technicolor	9 1/4	9	9	+ 1/4
Loew-Lux	3 1/2	3 1/4	3 1/2	+ 1/4
Universal Corp.	3 1/2	3 1/4	3 1/2	+ 1/4
Universal Picts.	3 1/2	3 1/4	3 1/2	+ 1/4

"Great Dictator" Packs Two Chi. Houses at Debut

Chicago—Charlie Chaplin's "Great Dictator" premiered here last night to packed houses at both theaters where it is being screened—the Roosevelt and the Apollo. The premiere received loads of advance publicity and exploitation.

B & K execs. look for a long run for the film in the Loop theaters.

Politics Hit Chi. Biz

Chicago—The political campaign has slowed up business this week in all Chicago theaters.

"NORTH WEST MOUNTED POLICE" still CLIMBING toward that RECORD WEEK!

Newman, Kansas City - 6 days—175% of "U.P."

Majestic, Houston - 6 days—148% of "U.P."

Malco, Memphis - 6 days—200% of "U.P."

Chicago, Chicago - 6 days—204% of "U.P."

Strand, Providence - 6 days—157% of "U.P."

Palace and Wisconsin,

Milwaukee - 6 days—257% of "U.P."

Paramount, Portland - 6 days—138% of "U.P."

Palace, Youngstown - 6 days—174% of "U.P."

State, Portland, Me. - 6 days—204% of "U.P."

Denham, Denver - 5 days—130% of "U.P."



Ampa Fetes Paul Terry On His 25th Anniversary

Paul Terry, creator of Terrytoons, told how he sold his first animated cartoon to Lewis J. Selznick for \$1 a foot at the Ampa luncheon yesterday at the Hotel Edison. Back in the days when he was making Aesop Fables, his staff consisted of 19 artists, while today more than 100 are employed in turning out Terrytoons, he said. Terry was presented with a plaque in honor of his 25th year in the business.

James Moran, of the Fred Waring band, offered some recordings of some "very odd sound effects."

Desi Arnaz, of "Too Many Girls," also spoke.

It was announced by President Leon Bamberger that Ampa would join with the Book and Magazine Guild in presenting an award to the best picture made from a novel. Award will be made at Manhattan Center on Nov. 8. Judges will be prominent book reviewers.

"Escape's" Opening Day Draws 22,000 Attendance

Metro's "Escape" off to a lively start at the Radio City Music Hall yesterday, was expected to run up an attendance of about 22,000 for the day. That would bring the day's draw to slightly under that of "Pride and Prejudice."

Place 400 Print Order For Warners "The Letter"

Upping the primary laboratory order on "The Letter" to 400 prints, Warners have scheduled a simultaneous Thanksgiving Day release for the Bette Davis film throughout the country, in 385 theaters. This figure tops previous studio high set by "Knut Rockne—All American" of 350 prints. William Wyler directed the picture which will open at the Strand Theater in New York.

GWTW in 18th London Wk., Going Strong Despite War

"Gone With the Wind" is in its 18th week in London and "still going strong," according to a letter received from Harry Buxton, head of the Buxton circuit in England, by Producer David O. Selznick. Buxton said that under peace conditions, the picture would run at least a year.

Broly, Chief Engineer For B & K Tele Station

Chicago—A. H. Broly, formerly with Philco, has been named chief engineer of the B & K television station W9XBK. R. Werrenrath is his assistant. Will Eddy, plant manager, has named Helen Wesco as his secretary. Work is being pushed on the station installation in the State Lake building.

COMING and GOING!

WILL H. HAYS leaves today for his home in Indiana where he will remain until after Election Day. He is expected back next Wednesday or Thursday.

W. F. RODGERS, M-G-M general sales manager, is due from the Coast early next week.

RAY W. WEMPLE of Metropolitan Playhouse leaves Hollywood tomorrow for New York.

NORMAN MORAY, short subject sales manager for Warners, left New York yesterday for an extensive tour of the company's branches. He will arrive in Hollywood around Nov. 18.

PAT CASEY, producers labor representative, is in New York for a week to 10-day stay.

A. MONTAGUE, RUBE JACKER, LOUIS WEINBERG, LOUIS ASTOR, MAX WEISFELD, MAURICE GRAD, GEORGE JOSEPHS and HANK KAUFMAN leave New York tonight on the Commodore Vanderbilt for a two days' sales meet of Columbia's Midwestern representatives over the week-end in Chicago.

RALPH BELLAMY sails today on the Santa Rosa for a vacation trip.

MIRIAM HOPKINS is at the Pierre.

VIRGINIA CHERILL leaves the Coast in about two weeks for New York and England.

OSCAR DOOB and HARRY GOLDBERG returned this morning from Washington where they conferred with newspaper publishers.

CLIFF WORK, production head for Universal, plans to return to the Coast this week-end.

TOM GORMAN, RKO Chicago district theater manager, is on a swing through Iowa, checking on the business outlook.

G. L. CARRINGTON, vice-president and general manager of Altec Service, has returned to New York from the SMPA meetings on the Coast, making stops at Altec district offices on the trip.

AL HANSON, California exhib., and his architect, S. CHARLES LEE, have arrived in New York City.

MAX A. COHEN is in Buffalo.

St. Louis Indies Extend Operators Pact 2 Years

St. Louis—Fred Wehrenberg, president of the MPTO of St. Louis, announced yesterday that the local indies have signed a new two-year wage scale and working agreement contract with Local 143, Operators. He said that there is to be no change in either wages or working conditions. Contract will be retroactive to Aug. 31. Union ratification is expected.



Terry Ramsey
Mabel Julienne
Scott

From THE FILM DAILY to
NOVEMBER 1
Laura LaPlante
M. E. A. Tucker
Ernest Rovelstad
NOVEMBER 2
Charles Kenyon
Ann Rutherford
James Dunn

NOVEMBER 3
Paul Panzer

Myers Sees Circuit Expansion "Joker"

(Continued from Page 1)

terests therein to protect its investment or its competitive position or FOR ORDINARY PURPOSES OF ITS BUSINESS."

If not for those last seven words (capitals are editor's) the standstill would have been similar to that under a temporary injunction, Myers asserted. But these words, he continued, robs the section of all force, renders it so vague that it can't be enforced and marks a capitulation by the Department of Justice "as astonishing as it is complete."

In fact, Myers declared, the decree "marks complete recession by the Department from the position taken by it in the pleading of the case" and press releases.

Continuing, Myers wrote:

"Exhibitors do not know what influence intervened in the Dept. of Justice and brought about this abrupt change of front. Gossip naturally centers about prominent persons in the Administration who are directly or indirectly interested in the motion picture industry. But speculation along this line will not settle immediate problems. If sinister influence was exerted, the facts eventually will come to light, as they always do. If no such influence was exerted, then unfounded charges will do more harm than good. For the time being, opposition to the decree must be confined to its lack of merit as a document; it can not go to the motives of those who have framed and are offering it."

"Pastor Hall" to Open Orchestra Hall, Detroit

Detroit—Orchestra Hall is to be opened for first-run pictures for the first time by Sam Carver, formerly of Downtown Theater. The house will show United Artists pictures, and is set to open with "Pastor Hall."

Golden In Exhib. Return

Pittsburgh—Manny Golden, who operated theaters in this territory for many years but has been inactive in the business for several seasons, has taken over the McClure Theater here from Mervis Bros.

"Angel on Earth" for Rep.

Republic has purchased "Angel on Earth," an original by Hope Ross. Script has already been put in preparation, and casting will start shortly.

Such Generosity!

Stanton, Neb.—C. J. Kramer, manager of the Rialto, came up with an attention getting herald this week plaguing "Mortal Storm."

It offered admission free to all 5th columnists who made themselves known at the box office!



● ● ● COAST-ING:.....If you're wondering where the press agents of yesteryear can be found.....let your gaze wander toward Hollywood.....Many of the former Boswells are doing right well in sunny California (it rained Oct. 25 for the opening of the rainy season).....Hal B. Wallis who pounded the press drums when the Warner freres were located on Sunset Boulevard.....is J. L. Warner's right-hand man over Burbank way.....Hunt Stromberg is one of the busiest producers at the M-G-M plant and usually has one or two selections in the "Ten Best Pictures Of The Year" list.....Larry Weingarten who roamed up and down the land singing the praises of Jackie Coogan is also a producer at the Culver City studio.....

● ● ● PERUSING the Paramount payroll you'll find the name of A. M. Botsford, long with that organization.....Harold Hurley who recently left the Marathon St. plant was a member of the studio's praisery for several years.....Jeff Lazarus, also a Paramount graduate, was chief publicity gent for Fox West Coast before turning to production.....William C. Thomas, 'nother former Paramount producer, pounded out much publicity for the Pantages theaters.....Yet another graduate from Para.'s producing and publicity forces is William Wright.....who has been selling stories to the Saturday Evening Post.....using characters from his home state of Indiana.....

● ● ● STROLLING West on Marathon.....you come to the RKO studios.....and there you will find Bob Sisk.....who at one time was the Boswell for the Theater Guild.....Another RKO producer (incidentally hailing from Bob's home town, Baltimore) is Howard Benedict who pre-piloted several Broadway shows to success.....

● ● ● JUST a few blocks north of RKO, yet on the same street, is Columbia.....and there is the desk of B. P. Schulberg who was Adolph Zukor's first press agent.....B. P. now can work more leisurely than of yore.....but for a long time he was responsible for all the Paramount product.....It is not generally known.....but Ben Hecht was a press agent for a brief span.... He wrote publicity for "The Firebrand," which, incidentally, was written by a former p.a., Edwin Justus Mayer, who has contributed many important screenplays.....Edward Finney, who guides the Tex Ritter pix, is a former publicity man.....Shepard Traube, now directing for 20th-Fox, had his own publicity offices in New York.....

● ● ● STUFF:.....Postmaster General Frank C. Walker will be the principal speaker for the final luncheon rally of the Motion Picture Division of the Democratic National Committee in the North Ballroom of the Hotel Astor on Monday.....Other speakers will be Governor Lehman and Dorothy Thompson.....Louis Nizer will be toastmaster.....Major Edward Bowes' erstwhile 61-ton yacht Edmar is being turned over to this morning to the Navy for use as an auxiliary patrol vessel (brief ceremonies'll be held at 11 o'clock at the Bklyn. Navy Yard).....Metro is giving a screen test next week to the Valero Sisters who conduct their all-male rumba band at Fete's Monte Carlo.....Kay Kyser, whose new RKO Radio opus, "You'll Find Out," is to world premiere at the local Roxxy on Nov. 14, will lead the Fordham University varsity band when North Carolina's pigskin warriors tangle tomorrow with Jim Crowley's moleskinners at the Polo Grounds.....

20th-Fox Reports Loss of \$1,075,611

(Continued from Page 1)

second quarter of this year. A profit of \$827,069 was shown for the third quarter of 1939.

Operating expenses of exchanges, home office and administrative expenses, etc., were listed in the report at \$8,052,169.82. Amortization of production and other costs for the 39 week period was set at \$22,432,692.12. Participation in film rentals totaled \$3,035,206.36.

Purpose of the additions to special reserve against foreign assets is to exclude from current profits, those profits earned during the period in foreign currencies, principally sterling, which are not currently realizable in U. S. dollars and are therefore not available for use in the corporation's operations here. These profits are now represented by foreign current assets (principally cash) and at such future time when they may be converted into U. S. dollars, they will be included in the profits of the period in which realized, the company said.

No portion of the earnings of National Theaters Corp. is included in these figures since no dividends have been declared by that Corporation during the first 39 weeks of either year.

Technicolor's Dividends May Match 1939's Figure

Dr. Herbert T. Kalmus, Technicolor's president, announced yesterday that the board had declared a dividend of 25 cents, payable Nov. 15 to stockholders of record at the close of business, Nov. 7. Previous dividend was payable June 15, last, and amounted to 50 cents per share.

Total Technicolor dividends in 1939 amounted to \$1 per share. Since board will meet again before the end of the present year, indications are that the 1940 per-share dividends will, in all likelihood, match the 1939 figure, Wall St. sources believe.

Appeal on Allowances

Kommel and Rosenberg, attorneys for H. Cassel & Co., yesterday filed a notice of appeal from a decision of Federal Judge William Bondy. Court had ruled that they were not entitled to an allowance for services in the RKO reorganization proceedings. The applicants had sought \$15,000.

Force of Habit

Franklin, Neb.—Because he's so used to sticking ads in the paper to announce a new attraction at his Rosebowl theater, George Hall followed through when his new daughter was born.

He spotted a 2 column ad in the Weekly Bugle announcing the stork's visit, and 2 column advertising in Franklin is only for A-1 attractions.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"One Night in the Tropics"

with Allan Jones, Nancy Kelly, Abbott & Costello, Robert Cummings

Universal 82 Mins.
LAUGH-LADEN MUSICAL ROMANCE WHOSE BREEZY TEMPO AND TUNES COMMEND IT TO VIRTUALLY ALL STANDS.

Laughs are the long suit of this romantic musical comedy which is light, frothy and studded with songs of the pop variety. These melodies are the compositions of Jerome Kern. There are five, all told, and the lyrics to all but one are supplied by Dorothy Fields,—the exception being by Oscar Hammerstein, 2nd. By title, they are "Farandola," "You and Your Kiss," "Simple Philosophy," "Your Dream" and "Remind Me."

For the most part, these numbers are fitted logically and pleasingly into the action of the story, which deals fundamentally with a love quadrilateral, the principals in which are Robert Cummings, last seen cinematically in Universal's "Spring Parade"; Nancy Kelly, Allan Jones, and Peggy Moran. After dramatic shuffling and re-shuffling, Jones winds up with the comely Kelly, while Cummings and Peggy Moran are finally united, but this result is not achieved until the finale.

In the meanwhile, amid scenes of New York, a cruise to the Caribbean isle of San Marcos, and upon that fictitious strand, there are humorous situations poised to tickle the film fan, and the duo invested chiefly with this duty is the Bud Abbott-Lou Costello combo so popular on the airwaves. These clowns do their baseball bit and other belly-laugh routines which have brought them into show biz prominence, and do them well.

Because of the lulling nature of the footage, audiences will find "One Night in the Tropics" diverting enough, and it should be well received by patrons in situations generally. This opus isn't of particularly heavy gauge as musicals go, but it has enough to commend it solidly to outlets. A. Edward Sutherland's direction is smooth and effective. Joseph Valentine's photography is neat.

CAST: Allan Jones, Nancy Kelly, Abbott & Costello, Robert Cummings, Lou Carrillo, Mary Boland, Peggy Moran, Barnett Parker, William Frawley, Nina Orla, Richard Carle, Don Alvarado, Kathleen Howard.

CREDITS: Associate Producer, Leonard Spigelglass; Director, A. Edward Sutherland; Screenplay, Gertrude Purcell, Charles Grayson; Adapted by Kathryn Scola, Francis Martin; Author, Earl Derr Biggers; Musical Numbers by Jerome Kern; Director of Photography, Joseph Valentine; Art Director, Jack Otterson; Associate, Martin Obzina; Film Editor, Milton Carruth; Assistant Director, Joseph A. McDonough; Gowns, Vera West; Set Decorations, R. A. Gausman; Musical Director, Charles Previn; Orchestration, Frank Skinner; Sound Supervisor, Bernard B. Brown; Technician, Joseph Lapis; Dances by Larry Cabellos.

DIRECTION, Smooth. PHOTOGRAPHY, Neat.

"Who Killed Aunt Maggie?"

with John Hubbard, Wendy Barrie, Edgar Kennedy

Republic 70 Mins.
MURDER MYSTERY WITH LOTS OF SUSPENSE AND PLENTY OF COMEDY IS GOOD ENTERTAINMENT.

Three murders, a secret room, family secrets and a sensationally constructed plot make this picture entertaining scenery. In addition, it has been given a broad comedy angle that will get plenty of laughs in the person of Edgar Kennedy as the sheriff who investigates the murders. Picture is first rate neighborhood fare and will fit nicely on any bill. The cast is good, the action moves along at a fast rate, and the mystery and comedy elements are nicely synchronized.

John Hubbard gives a good account of himself in a top spot, and Wendy Barrie is attractive and effective opposite him. Edgar Kennedy is amusing as a Georgia sheriff; Walter Abel, Elizabeth Patterson, Onslow Stevens, Joyce Compton and Mona Barrie fit nicely in important roles. Willie Best contributes some additional laughs to the picture and the remainder of the cast is capable. Arthur Lubin gets credit for a nice directorial touch, and Stuart Palmer's screenplay is neatly turned out.

Miss Barrie and Hubbard, radio advertising man, get in a row over the improbabilities of a radio script and she leaves for her family home in Georgia. Hubbard follows her and scoffs at the disappearance of a corpse, but becomes more serious when a second one disappears and a third murder is committed. The murderer is finely uncovered and Miss Barrie and Hubbard get married in the midst of another row over a radio script.

CAST: John Hubbard, Wendy Barrie, Edgar Kennedy, Elizabeth Patterson, Onslow Stevens, Joyce Compton, Walter Abel, Mona Barrie, Willie Best, Daisy Lee Mothershead, Milton Parsons, Tom Dugan, William Haade, Joel Friedkin.

CREDITS: Associate Producer, Albert J. Cohen; Director, Arthur Lubin; Screenplay, Stuart Palmer; Based on a novel by Medora Field; Cameraman, Reggie Lanning; Editor, Edward Mann.

DIRECTION Able. PHOTOGRAPHY, Good.

Revert to "Far Horizon"

West Coast Bureau of THE FILM DAILY

Hollywood—"Far Horizon," originally published titled of the Polan Banks' novel, will be the new title on Warners' picture version hitherto called "January Heights." Production starts today with Bette Davis and George Brent starred under the direction of Edmund Goulding.

Cash Quiz Trade Showing

New Haven—Premium Promotion Syndicate, Inc., is issuing invitations to exhibitors for screening of a new Cash Quiz idea on Nov. 12 at the 20th-Fox screening room.

"Haunted Honeymoon"

with Robert Montgomery, Constance Cummings, Leslie Banks

Metro 83 Mins.
MODERATELY ABSORBING MURDER MYSTERY IS LEISURELY-PACED SCREEN-FARE.

One neatly contrived murder, an engaging cast and a delightful setting for the crime are provided in this English import. Although there is an absence of nerve-racking suspense and weird noises in the night, the story holds its interest until the crime is solved. Action, however, is leisurely. Montgomery, Miss Cummings and Leslie Banks are salable marquee "names," and the author of the story in its novel form, Dorothy L. Sayers, is well known as a writer of mystery fiction.

Montgomery appears to advantage as a dilettante aristocrat who is a brilliant crime analyst, and Miss Cummings attractively and capably fills the role of a writer of detective fiction who marries him. A fine supporting cast of British players implements the principals effectively, with Leslie Banks, Sir Seymour Hicks, Robert Newton, Gogie Withers, Frank Pettinling, Joan Kemp-Welch, Aubrey Mallalieu and James Carney among them. Arthur B. Woods directed, turning in a smooth job.

Montgomery and Miss Cummings are married and motor to a country home he has given her as a wedding present to spend their honeymoon, accompanied by Hicks, Montgomery's servant. When a murder is uncovered they plan to leave immediately as they had taken a pledge to abstain from solving crimes and writing murder mysteries. However, arrival of inspector Banks complicates matters and they become involved because they don't want to see an innocent party convicted. Montgomery finally solves the murder with a nice bit of criminal reconstruction and their interrupted honeymoon is continued.

CAST: Robert Montgomery, Leslie Banks, Constance Cummings, Sir Seymour Hicks, Robert Newton, Gogie Withers, Frank Pettinling, Joan Kemp-Welch, Aubrey Mallalieu, James Carney, Roy Emerton, Louise Hampton, Eliot Makeham, Reginald Purdell.

CREDITS: Associate Producer, Harold Huth; Director, Arthur B. Woods; Screenplay, Monckton Hoffs, Angus MacPhail and Harold Goldman; Based on a novel by Dorothy L. Sayers; Cameraman, F. A. Young; Editor, Al Barnes.

DIRECTION, Good. PHOTOGRAPHY, Good.

★ SERIAL ★

"The Green Archer"

Columbia 21 mins. per ep.
Exciting And Actionful

Based on a novel by the late Edgar Wallace, this serial has what it takes to keep audiences coming back to theaters week after week to see the next episode. Victor Jory and Iris Meredith have the lead roles. James

★ SHORTS ★

"It Is For Us The Living"

Film Associates 19 mins.
Splendid Two-Reeler

Here is an eloquent, edifying and forceful exposition of the great humanitarian works being carried on by The Federation of Jewish Charities. It delineates the care extended annually to several thousand infants in order that they may be thoroughly fortified for the battle of later life; to the thousands of orphans that they may grow up to enjoy equality and opportunity which is both their divine and democratic right; to the thousands, likewise, who are in need, —and so desperately,—of educational, recreational and vocational advantages. It is pointed out that Federation, with its 116 separate and distinct institutions, is bending every effort not only to aid in the social salvation of the infant and youth, but also in assisting the adult,—those unfortunate who are afflicted with tuberculosis, for example. What Federation does for victims of the Great White Plague; how the organization finds a place in the business world for those discharged-as-cured from the sanitarium; and how even workshops are maintained to aid convalescents' careful return to normal pursuits, are disclosed vividly. The film, to be shown within Federation, and educationally to some 150,000 people, is narrated very effectively by Benjie Bartlett and Edwin Jerome. It was made by Film Associates, Inc., with the photographic assistance of Floyd Crosby and Roy Phelps. Footage is technically excellent throughout.

★ FOREIGN ★

"Mayerling To Sarajevo"

(French dialogue, English titles)

Leo Films, Inc. 105 Mins.

DAILY NEWS: Interesting historical drama.

HERALD TRIBUNE: Occasionally it has haunting beauty and emotional power, but on the whole it is a stilted conversation piece.

TIMES: Picture has been done with surprising effectiveness.

POST: Picture is static, formal and too smoothly put together.

CREDITS: Produced by British Unity Productions; Director, Max Ophuls. PLAYERS: John Lodge, Edwige Feuillere, Aime Clariond.

Craven, Robert Fiske, Dorothy Fay and Forrest Taylor are prominent in the cast. Serial starts off with a bang with the action maintained at a fast and furious clip.

The 1941

FILM DAILY YEAR BOOK

of over 1200 pages of valuable information and advertising will be ready for distribution in January 1941 to all subscribers to—

The FIRST daily motion picture trade paper.

The OLDEST daily motion picture trade paper.

The ONLY daily motion picture trade paper devoted EXCLUSIVELY to motion pictures and motion picture people—

THE
Film
DAILY

1501 BROADWAY

NEW YORK CITY

Kodak Profits Over 10% Back to Gov't

(Continued from Page 1)

profits in excess of 10 per cent on defense orders that have been placed with it. The company is manufacturing a special apparatus for national defense and expects to be engaged in its manufacture over a period of years.

Statement of the company's purpose, posted on bulletin boards at the local plant and offices, said that Eastman Kodak is "understood to be the first to have made such a pledge to the Government in connection with the national defense program."

The announcement stated that, following the first World War, Eastman Kodak, carrying out a similar pledge, refunded a large amount to the Government.

As each of its defense contracts will extend over a period of years, any profit up to 10 per cent retained by the company will be spread over that period. It is pointed out that the 10 per cent profit will be subject to income and excess-profits taxes which are likely to amount to two-thirds of the 10 per cent profit.

Nazis Pushing Own Pix; Halt French Production

(Continued from Page 1)

mans told him they had 200 German films with French subtitles to show first, and they refused to let him produce any French films."

Francen was greeted upon his arrival from France by execs. of the France Film Co. which is releasing "Scandale" and "Apres L'Amour" in which he appears.

Saef Managing Shawmut

Boston—Jack Saef, long in various capacities with Paramount theaters—now M & P in this territory—has been transferred from publicity director at Boston Paramount to manager of the Shawmut, a nabe. Martin Glaser, who for past four years has been assistant publicity director at the Metropolitan, takes place vacated by Saef at the Paramount. Shift leaves Paul Levy in sole charge of publicity at the Met.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY
Hollywood — John Downs actor, will marry June Draper of Los Angeles.

Scranton, Pa.—Dorothy Rita Dolan and William L. Kays, manager of the Glode Theater, will wed in St. John the Evangelist Church Nov. 7.

West Coast Bureau of THE FILM DAILY
Hollywood — Sylvia Lille, secretary to Harry M. Warner, will wed Harry Stern, advertising executive, Dec. 24.

St. Louis Exhibs. for Singles BFC Says Favorable Response Overwhelming

(Continued from Page 1)

clared that the Council "fully realizes the situation of the theater owners" and, to assist in meeting it, has "already launched an educational campaign to win public support for single feature programs."

"In addition to sending out printed material giving 1,000 reasons why we oppose double feature programs, the council is furnishing speakers to meetings of women's clubs, parent-teacher organization meetings, etc.," Mrs. Burt asserted.

Commenting on the recent announcement that F & M considered its six weeks' test of single features at the Ambassador a flop and that therefore it saw no reason for their continuance, Mrs. Burt said:

"The Ambassador's experience

with a single feature program at advanced prices is hardly a fair test of the public's response. Without any desire to reflect on the fine pictures that were shown at the Ambassador during the six weeks' period it must be admitted that the public was able to see other fine pictures at the competing Loew's Theater without paying higher prices.

"A fairer test of the public's attitude toward single feature programs would be for the Ambassador and all of the other first-run theaters to use single feature bills at the same time and maintain their regular price scales."

Council's annual Film Tea, at the Melba Theater yesterday, attracted about 1,000.

LaCrosse Theaters Suit Under Way at Madison

(Continued from Page 1)

the LaCrosse Theaters Co. against United Artists, 20th Century-Fox, Wellworth Theaters of Wisconsin, Minnesota Amusement Co., and Edmund Ruben, supervisor of Wellworth.

An amended complaint filed at the opening of the trial increases the damages requested from \$1,050,000 to \$1,476,000. Defendants are charged with violating the anti-trust act by withholding certain films from the plaintiff.

The action is being heard before Federal Judge Patrick T. Stone and a jury of 11 persons.

Wall to Manage Circle

Boston—Thomas Wall, long manager of the Capitol Theater in Alliston, Boston residence district, has been named manager of the new Circle Theater which lies just over the border line between Boston and Brookline. Joe Marquis, long manager of the Egyptian Theater in another suburb, goes to the Capitol to take place formerly held by Wall. Capitol now becomes a second-run house while the Circle will play duals, first-run.

May Reopen Negotiations

New Haven—Exchange employees may reopen negotiations on their contracts signed last November for two years, with the option of reopening after one year. No increases were granted at the time of the signing. A meeting will be called locally in the near future, President Samuel Zipkin states.

Calla Rites in St. Louis

St. Louis—Funeral services will be held here today for Charles J. Calla, 65, prexy of the Southern Real Estate & Finance Co., operating the American Theater and owner of the Orpheum and Shubert-Rialto. Widow and two daughters survive.

Would Re-affirm Accord Not to Use Star Ratings

(Continued from Page 1)

not to use star systems of ratings given by New York film reviewers in advertising matter, a meeting is expected to be held the latter part of next week at the MPPDA to reaffirm the gentlemen's agreement.

Breach of the four-year-old agreement came recently when Paramount followed the lead of the Rivoli Theater in employing a star rating system in advertising matter. Department heads have maintained that such systems are sometimes unfair to individual pictures.

Joseph Rubinfeld Dead; Funeral Services Today

Funeral services will be held today for Joseph Rubinfeld, manager of Loew's Oriental Theater, Brooklyn, who died yesterday. Rubinfeld had managed the house for eight years and formerly was a pit musician. Burial will be in Beth David Cemetery, Elmont, L. I.

20th Century-Fox Assignments

West Coast Bureau of THE FILM DAILY

Hollywood — Mary Beth Hughes will play a leading role in "Sleepers West" at 20th-Fox studios. Barton MacLane has been cast for "Western Union." Frank Nugent will write the screenplay for "The Golden Touch" (ex-"Silk Purses" and "Replenish the Earth") from the Long-street novel. S. Z. Sakall has been signed for "Tall, Dark and Handsome." John Hubbard has been borrowed from Hal Roach for the male lead in "Murder Among Friends" which Ray McCarey will direct.

Scanlon vs. Henie Trial

Breach of contract suit of Dennis R. Scanlon against Sonja Henie started trial yesterday before New York Supreme Court Justice Aron Steuer. Scanlon seeks \$92,000 allegedly due as 15 per cent under an agency contract made in 1934.

Hays, Kennedy Again To Talk Remittances

(Continued from Page 1)

quota proposals. First huddle was held this week.

While the present agreement expired last night, a status quo will prevail pending agreement upon terms now under discussion. It is understood that the scope of American production for Great Britain during the coming year is directly tied in with the proposed agreements.

Hays leaves New York tonight for his home in Indiana to be on hand for Election Day. He is expected to return to New York Wednesday.

250 Day-Date Bookings In New York for "London"

"London Can Take It," the one-reel British subject being distributed by Warners, will begin over 250 day-and-date engagements over the week-end in the New York-Metropolitan area. All Loew, RKO, Skouras and other Greater New York circuits will show it simultaneously all next week.

Seven hundred and fifty other day-and-date engagements, making 1,000 in all, have been booked over the country for the week-end. This marks a record-breaking number of simultaneous engagements ever set on any film.

Crank Molests DeMille

Chicago—August Schwartzman, a crank, attempted to molest Cecil B. DeMille in the lobby of the Blackstone Hotel. Carl Krueger, Paramount publicity representative, and Ted Bonnet, DeMille's publicity man, grabbed him and escorted Schwartzman outside the hotel where he broke loose and fled. The police are looking for him.

Clay Houses to Frisina

Mexico, Mo.—The Frisina Amusement Co. of Springfield and Taylorville, Ill., has added the 800-seat Liberty and the 450-seat Rex to its growing circuit. Houses have been operated by C. W. Clay.

Kridels Opening New House

East Orange, N. J.—After a lapse of many years, the Main and Grove Sts. section of this city is to have a movie theater. The Beacon, operated by Moe, Jerome and Myron Kridel, will open Nov. 7.

STORKS!

St. Louis—Fred Wehrenberg, president of the MPTO of St. Louis, Eastern Missouri and Southern Illinois, has entered the grandfather class. A son, Ronald, was born to his daughter, Mrs. Paul Krueger at St. Anthony's Hospital. Father is manager of the Southway and Lemay Theaters.

Complete Industry's Nat'l Defense Setup

(Continued from Page 1)

George J. Schaefer, RKO president and chairman of the co-ordinating committee.

The executive committee and sponsors of the move are the following company execs.: Barney Balaban, Paramount; Nate J. Blumberg, Universal; Jack Cohn, Columbia; Sidney R. Kent, 20th Century-Fox; George J. Schaefer, RKO; Nicholas M. Schenck, Loew's, Inc.; Maurice Silverstone, United Artists, and Harry M. Warner, Warner Bros.

On Co-ordinating Committee

The co-ordinating committee is composed of Schaefer, Balaban, Schenck, Joseph Hazen, William Michel and R. B. Wilby, with Francis Harmon as co-ordinator who has established the necessary contacts with national defense agencies. Suggestions will be channelled through him.

A special theater committee has been designated with Joseph Bernard as chairman, the group consisting of A. H. Blank, Harry Brandt, Si H. Fabian, John Harris, Ed Kuykendall, Charles C. Moskowitz, John J. O'Connor, R. J. O'Donnell, E. V. Richards, Spyros Skouras, R. B. Wilby and Nathan Yamins.

Five Other Chairmen Named

Other important committees are the studio production group in Hollywood headed by Y. Frank Freeman; newsreel committee, E. B. Hatrick, chairman; short subjects committee, William J. Clark, chairman; distributors committee, William A. Scully, chairman, and the theater publicity committee, Oscar A. Doob, chairman.

Personnel of Freeman's committee was published yesterday in THE FILM DAILY. Others are now being set.

Appreciation and endorsement of the film industry's action were expressed by Secretary of War Stimson, Secretary of Navy Knox and Secretary of State Hull.

Government Departments Setting Industry Contacts

Washington Bureau of THE FILM DAILY
Washington — Official announcements as to who will represent sev-

Army Film Unit Establishes Headquarters In Jersey; to Make 3,000 Reels by July

Asbury Park, N. J.—Headed by 14 officers, sent to Hollywood for training, the national moving picture headquarters of the U. S. Army has been transferred from Fort Monmouth, to Sylvania Hall, Neptune City. The Army has taken a one-year lease. Lieut. Col. Melvin E. Gillette is in charge, assisted by Maj. Robert Shaw. The local unit will eventually number 100 officers and men. Formerly Army production was only 30 reels a year. Now it is planned to produce 3,000 by July, 1941. Shooting will take place on location all over the country, with developing in Washington and editing here.

Plan \$50,000 Theater For Montreal's West End

Montreal — Montreal will shortly have a new theater in the West End suburb of Notre Dame De Grace. Owner and builder will be A. Wolfe, and architects Eliasoph & Greenspon. The two-story building, comprising theater, stores and apartments, for erection of which permit has been granted by the city of Montreal, will cost \$50,000 and will be located in the southwest corner of Sherbrooke Street West and Hingston Avenue.

"George" on Three Circuits

"Let George Do It," released here by Film Alliance of the U. S., has been booked into the entire Century, Skouras and Consolidated circuits.

eral Federal departments as film industry contacts have not been made, but it is indicated that the work similar to that of Lt. Col. Ward H. Maris, already acting for the War Department, will be handled for the State Department by Michael McDermott, head of the Division of Current Information, while problems dealing specifically with international film affairs will be supervised by Thomas Burke, head of the Division of International Communications.

In the Navy Department, Lieut. Howard W. Gordon, secretary to the Motion Picture Board of the Navy, will be contact man with the film industry. Defense commission contact is already handled by Robert Horton as head of the Division of Information through Dr. Leo Rosten in Hollywood.

Executive contact is Lowell Mellett.

H'wood Facilities Available For Filming Army Reels

West Coast Bureau of THE FILM DAILY
Hollywood—Facilities of the motion picture industry will be made available to the United States Army for the purpose of the production of a series of films to be used in training the nation's expanded fighting forces.

Y. Frank Freeman, chairman of motion picture production defense co-ordinating committee, announced the appointment of Darryl F. Zanuck, Sam Briskin and Major Nathan Levinson as a sub-committee to carry out the plans of General Joseph O. Mauborgne, chief Signal Corps officer of the Army. Zanuck will serve as chairman of sub-committees.

The Army will station an officer of the Signal Corps in Hollywood during filming of training pictures.

Rep. Argentine Distributor To Release for Pampa Film

Buenos Aires (By Air Mail)—J. Huberman's Ariston, Internacional Films, Republic's distributor in the Argentina, and which had financed production of Spanish pix made at Neubabelsberg during the Spanish Civil War, has signed a contract to exclusively distribute Pampa Film (B.A.) product.

Ariston Internacional will assist Pampa production by advancing 300,000 pesos for the first three pix to be made, and 150,000 pesos for those to follow.

Olegario F. Ferrando of Pampa-Film whose distributing organization will be dissolved, remains head of the production department of Pampa-Film with studios at Martinez, Northern suburb.

Complete Filming of "Journey to Jerusalem"

Filming of "Journey to Jerusalem," the Maxwell Anderson play, with the stage cast was completed yesterday at the Fox Movietone studio by Joe Pollack under the direction and supervision of Martin Henry. An entirely new camera technic was used by Martin Henry.

Granada, South Bend, Now Part of B & K's String

Chicago — Balaban & Katz has added the Granada theater, at South Bend, Ind., making four houses, now under circuit direction there. Dave Wallenstein is district manager.

Col. Takes Canadian Short

A one-reel subject entitled "That's Living," showing the friendly relations between the U. S. and Canada, has been completed by Audio Pictures of Toronto, under the direction of Arthur Gottlieb and will be released by Columbia.

P. A. Tour for Lum & Abner

Spartanburg, S. C.—Lum and Abner come South for a Dixie tour next month. They have been booked for a p.a. at Carolina Theater here Dec. 4, according to Manager Robert Talbert.

First Legit. in 13 Years

Montgomery, Ala.—Opening the first legit. season here in 13 years will be John Golden's "Skylark," starring Gertrude Lawrence, on Nov. 7, under auspices of Alabama Theaters, Inc., William Wolfson, local manager.

Ohio ITO May Awake Dormant Neely Bill

(Continued from Page 1)

New York equity suit occupied most of the session.

H. M. Richey, Metro's exhibitor trouble-shooter, in a brief speech expressed the hope that some day he might attend a convention where the chief topics were ways and means of improving business—not staying in existence. Other speakers included Jack Hirsch, secretary of the Chicago exhibitors organization; D. H. Palfreyman of the Hays Office, and Sidney Samuelson, representing the AID, Charles "Chick" Lewis, editor of Showmen's Trade Review, was introduced but declined to speak.

A single resolution was passed. Addressed to Columbia, it protested and condemned the action of Abe Montague in refusing to co-operate with the AID. His stand, made known in a letter to Samuelson, was termed "insolent" and "arrogant" by the convention.

Smith Re-elected President

One of the last actions of the convention was the election of officers. Heading the ITO for 1940 will be: president, Martin G. Smith, Toledo; vice-presidents, F. W. Huss, Jr., Cincinnati, and Max Stearn, Columbus; treasurer, Hoy Simons, Washington C. H.; and directors, Henry Greenberger, Cleveland; John Kalafat, Cleveland; Nat Charnas, Toledo; Harold Bernstein, Cincinnati; C. A. MacDonald, Columbus; Henry Fickinger, Galion; L. F. Eick, Martins Ferry; Ray Wallace; J. W. Trunk, Youngstown; C. F. Pfister, Troy; Jerry Steele, Oberlin; Leo Kessel, Lancaster, and Henry Thomas, Oak Hill. Both Greenberger and Kalafat stated they would not serve again. However, Ernie Schwartz, president of the Cleveland Exhibitors Ass'n, promised to "swing them in line for at least one more year." Max Stearn was advanced from a directorship; MacDonald, Fickinger, Pfister, Wallace and Thomas will be directors for the first time. All others were re-elected.

200 At Smith Testimonial

The testimonial dinner Wednesday night honoring President Martin G. Smith was the high spot of the entire convention. Nearly 200 persons gathered to pay tribute to the Allied and ITO leader. Headed by Judge Arthur Day of the Ohio Supreme Court as toastmaster, Speakers included H. M. Richey, Arthur W. Kelly, Abram F. Myers and that grand old man of show business, Billy James. In appreciation of his service to the organization the convention presented Smith with a new Buick.

Safest Spot

Ivington, N. J.—A new ordinance to be adopted within a week or so for the Fire Prevention Bureau, sets permit fees for all sorts of business establishments. The fees range from \$3 to \$250, and theaters are the only establishments in the J classification. The \$250 top is for junk yards.

Newspapers Become Milwaukee Opposition

Milwaukee—Exhibs. who have looked hopefully for improved business after the election in November see their hopes blasted by promotional events being staged that month in the Auditorium here by the Milwaukee Sentinel and the Milwaukee Journal. Former newspaper is conducting a Feminine Fair, Nov. 25 to 30, with a new house as the grand prize. Entertainment will include Billy Baer and ork. Latter is staging an aqua star and style show in the Auditorium Nov. 17-20, to include straight and comedy routines by top-notch talent from Billy Rose's New York and San Francisco aquacades. Both events are firsts for their respective sponsors.

Decree and Allied Assailed by Cohen

(Continued from Page 1)

Gloversville, Roy Pashley of Inter-laken; Sidney Grossman, Rap Merri-man and Jack Karp of Syracuse and one vacancy left for Binghamton addition.

The national organization was petitioned to hold its convention at the same time and place in the state, probably Rochester in June 1941.

Max A. Cohen, president of the Allied Theaters of New York, a former national Allied unit, but now affiliated with the MPTOA, spoke on the consent decree. "This system is as obsolete as yesterday's newspaper," he said. "Much has been done to smear the MPTOA. It was never before disclosed that national allied directors in Chicago voted to accept the Code of fair practice eight to four. We face in the consent decree as treacherous and vicious a piece of literature as ever was placed before us. The consent decree is so inferior to the Code it is not even funny.

Indies Sold Down the River

"I charge that the cause of the independent exhibitors was sold down the river by Myers and Cole by the manner in which the negotiations with distributors for fair trade Code was conducted at Chicago. The inner circle of Allied has done more to injure the subsequent-run exhibitor than any other force in the industry. As a result of what happened at Chicago, there must have been an understanding between Myers, Cole and unknown persons to wreck the Code. If any two men without any stake in this industry sold us down the river it was Myers and Cole. Regional Vice-President Francis Lydon of national Allied of Boston has made the charge that Max A. Cohen sabotaged New York Allied and is now sabotaging the consent decree in spite of the fact that the national Allied rejected the decree. We cannot allow the treason and treachery of national Allied leaders to make such inroads to secure adoption of the consent decree."

Unit to Protest to Goddard

It is expected that the local unit will join the national MPTOA in a strong protest against acceptance of the decree before Judge Henry W. Goddard. It is agreed here that the decree is the result of the work of distributors' attorneys at Washington after they had "tossed the bunch of inexperienced Government young lawyers out of the window and proceeded to write it themselves after the Department of Justice and Thurman Arnold had decided to rid themselves of the hot baby."

Attention, Mounties!

Portland, Ore.—Shortly before the opening of the Paramount Theater yesterday, Manager Herb Sabottka was held up in his office by a robber who escaped with \$300. Ace house of the Hamrick Evergreen Chain is playing... NWMP!!!

WHO'S WHO IN HOLLYWOOD

• • • Introducing Interesting Personalities • • •

EDWARD FINNEY, Producer. Born, New York City. Educated at the College of the City of New York and Columbia University. Began in the engineering field with Western Electric, New York. Then joined Metro before the merger in the publicity department. Became press sheet editor when Metro and Goldwyn joined forces. Was sales promotion director for Associated Exhibitors in New York. Later joined C. C. Burr-Johnny Hines Productions in Glendale, L. I. as property man. Was assistant manager in mail order division, B. Altman & Company. Afterwards joined United Artists as press book editor and was then identified with the company for six years, later becoming assistant advertising director. Then went over with W. Ray Johnston and Monogram Pictures as advertising director, retaining same post when this company was absorbed by Republic Pictures. With formation of Grand National Pictures became producer of singing westerns, starring Tex Ritter, also head of advertising and public relations for same company. Producing for six years, having made some 29 pictures to date. Now producing for Monogram, a series of singing westerns starring Tex Ritter whose latest picture is titled "Oklahoma Bound." Recently produced and directed first independent picture, "Silver Stallion," featuring the wild horse, "Thunder." David Sharpe, Chief Thundercloud and LeRoy Mason. Married to Betty Burke, cartoon animator. Hobby, athletics. Hair, dark. Eyes, dark. 6 feet.



New Soviet Film to Open Two Exhibits. to Build San Diego Bowling Alley

New Soviet film, "The Great Beginning," has been booked for its New York premiere in the Miami Playhouse in mid-November. Film, which opens in Chicago at the Studio Theater Nov. 9, is the first of a series of new Soviet films to be released in the U. S. by Arkino Pictures, Inc.

Others already received, in order of their release, are: "The Mannerheim Line," narrated in English; "University of Life," based on a biological novel by Maxim Gorky; "The Seamen," a story of the Soviet Naval fleet; "Homecoming."

Included in a new shipment en route are Alexander Dovzhenko's "Liberation," a documentary feature of life and people in the new territories of Western Ukraine and Byelorussia, and documentary reels of Soviet Latvia, Lithuania and Estonia.

Five New N.W. Theaters Planned

S. Charles Lee, theater architect of Hollywood, now in New York, is completing plans for new theaters for Fort Bragg, Ukiah, Eureka, Dinuba and Modesto. Projects have been bankrolled by Hollywood interests and will have local partnerships. Each unit will cost about \$35,000. Work on chain started Oct. 21 at Dinuba.

RKO Buys "Week End For 3"

West Coast Bureau of THE FILM DAILY

Hollywood — RKO has bought "Week-End for Three," by Budd Schulberg, and is seeking Irene Dunne for the leading role. Dorothy Parker and Alan Campbell will prepare the screenplay.

West Coast Bureau of THE FILM DAILY

Hollywood—Two well-known theater exhibitors in California, Al Hanson (formerly assistant general manager of Fox West Coast Theaters), together with Lou Metzger (owner of Spreckels Theater, San Diego), have just announced a large bowling alley project to be built in San Diego; retaining S. Charles Lee, Hollywood's own theater architect, it promises to be a combination of showmanship and bowling.

Seats for 500 spectators together with miscellaneous amusements are said to be included in the project.

Freeman to Make R. C. Talk

West Coast Bureau of THE FILM DAILY
Hollywood — Y. Frank Freeman, MPPA prexy, will make an address at the second all-star Red Cross benefit program to be carried by the three major networks Sunday, Nov. 17 from 1:30 to 2:30 p.m.

Warners Sign Mary Wickes

West Coast Bureau of THE FILM DAILY
Hollywood—Warner Bros. yesterday signed Mary Wickes, the Nurse Preen of "The Man Who Came to Dinner," for the same role in the film version.

Warners Sign Alex. Knox

Hollywood — Warner Bros. has signed Alexander Knox, who appeared in its stage production, "Jupiter Laughs," to a two-year contract. His first film role will be in "The Sea Hawk."

Luenchloss Buys Avalon

Platteville, Wis.—Carl Luenchloss of Richland Center, has purchased the Avalon theater at Platteville from the William Tracy estate.

850 Circuit Theaters To Hike NWMP Prices

(Continued from Page 1)

which have closed dates are: Fox Wisconsin Circuit, Milwaukee; Fox West Coast Theaters, Los Angeles; J. H. Cooper Enterprises; Minnesota Amusement Co., Minneapolis; Fourth Ave. Amusement Co., Louisville; Butterfield Theaters, Detroit; United Detroit Theater Corp., Detroit; Evergreen State Amusement Corp., Seattle; Fox Intermountain Theaters, Denver; M. & P. Theaters, Boston; Wilmer & Vincent, New York; Interstate Circuit, Dallas; Intermountain Theaters, Salt Lake City; Tri-State Theaters, Des Moines; Gibraltar Enterprises, Denver and the Ralph Talbot Theaters, Tulsa.

Interstate Circuit has set the following dates for showing "North West Mounted Police" at advanced admission prices: Nov. 8 at the Martini, Galveston; Nov. 9 at the Majestic Theater in Dallas and San Antonio; Theat. Theater, Fort Worth, Plaza in El Paso and Nov. 16 at the Paramount Theater in Austin.

M & P Theaters will feature NWMP at advanced admission prices in theaters in Boston, Worcester, New Haven, Hartford and Springfield. Wilmer & Vincent will play the attraction at advanced prices in Norfolk, Richmond, Harrisburg, Reading and Easton.

Pix will be nationally released by Paramount Thanksgiving Week.

Union Dispute May Delay "Fantasia" Opening

Union dispute over jurisdiction threatens to delay the opening of Walt Disney's "Fantasia" set for the Broadway Theater on Nov. 13. Dispute is between Local No. 1, IATSE and Local No. 3 IBEW and is over the installation of the special sound recording equipment need for the presentation of the production.

IBEW handles electrical equipment in new buildings and the IATSE handles maintenance of such equipment in theaters. The row has been in progress almost a week.

Joan Bennett Quits "Topper"

West Coast Bureau of THE FILM DAILY
Hollywood — Joan Bennett has withdrawn from the cast of Hal Roach's "Topper Returns." Carole Landis has been substituted in the part.

Colleges Distorted In Pix, Says Cleric

Ministerial protest to the MPPDA against "distortion" of collegiate life in films is planned by the Rev. O. S. Newell, Yonkers Episcopalian rector, who voiced his criticism at the New York Diocesan conference which closed yesterday at Bear Mountain.

The cleric feels that films "make it appear that sports are the only worthwhile things in our colleges and that the professors are morons."

Intimate in Character
International in Scope
Independent in Thought

THE FILM DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 89

NEW YORK, MONDAY, NOVEMBER 4, 1940

TEN CENTS

SEE \$375 AS MINIMUM ARBITRATION COST

Para. 9 Months' Profits Soar Nearly \$2,000,000

Third Quarter Earnings Show \$1,234,000 Advance Over Figures for 1939

Paramount's earnings for the nine months ended Sept. 28 were almost \$2,000,000 more than the earnings for the corresponding period last year, while the third quarter earnings this year were \$1,234,000 above those of the same period in 1939, according to estimates announced by the company Friday.

For the third quarter ended Sept. 28, Paramount estimates its earnings at \$1,726,000 after providing for increased rates of income tax and the excess profits taxes. This

(Continued on Page 6)

Canadian Clearance Plan Strikes Snags

Toronto — Establishment of the new National Clearance Board has encountered two snags.

First results from the fact that the Western provinces, entitled to a single representative on the Board, have actually designated two, N. A. Taylor of Toronto, named by the Anti-Protection League as temporary proxy and then ratified by the Winnipeg association, and Fred Guest, of

(Continued on Page 4)

Ontario Sees Any New Tax at Least 18 Mos. Off

Toronto — Statement by Premier M. F. Hepburn of Ontario that there will be no change in the Government fiscal policy for the year starting April next providing no unforeseen developments arise, and that there will be no revision of taxation or no new

(Continued on Page 4)

War Service Bonus Plan for Wometco

Miami, Fla.—Sidney Meyer, vice-president of Wometco Theaters, Inc., has announced that all employees who are inducted or enlist in military service, and who subsequently are given satisfactory service discharge certificates, will receive a bonus, according to the number of years employed by the company. Also all full time employees will be restored to their former positions vacated by them because of the draft.

ARBITRATION BUDGET TAKES SHAPE

Will Involve Between \$400,000 and \$450,000; Minor Changes Made in the Rules

Agreement on a budget for the operation of the regional arbitration boards may be reached this week. Following a meeting on Friday of attorneys and J. Noble Braden, executive secretary of the American Arbitration Ass'n, it was the consensus that the budget would involve between \$400,000 and \$450,000, but no official figure was set.

It was believed by some of the parties that the salaries of the three National Appeal Board members would be fixed at \$17,500 for the chairman and \$15,000 for the other two, although this point is still open for debate. Salary of the Tribunal

clerks is expected to be \$2,500 a year. The rules sharply define and restrict their duties.

Active work in preparing a map showing the boundary lines of the various exchange districts will get under way Thursday.

Changes in practically every page of the proposed Rules of Arbitration were completed on Friday and revised drafts were sent to all parties involved. The revisions were mainly in wording and definitions, and in some cases the footnotes were moved up into the body of the rules. No basic change in the rules were effected.

Hub B. O. Biz Said Best in Five Years

Boston—The cinema here is at the moment facing greater competition from both legitimate and burlesque field than in many years past. Yet despite this sudden increase of oppo-

(Continued on Page 8)

"Fastasia" Jurisdictional Dispute Ended by Browne

Possibility of a serious delay that might have delayed the world premiere of Walt Disney's "Fantasia" Nov. 13 at the Broadway Theater

(Continued on Page 4)

RCA Reports 9-Mos. Profit of \$5,713,943

RCA Friday reported a nine-months net profit of \$5,713,943.65. This compares with \$4,066,425.30 during the first three quarters of 1939.

Earnings per share of common

(Continued on Page 7)

"Zorro" Debut Gives Two Cincy Theaters Top Biz

Cincinnati—Despite a heavy rain which fell all day, World premiere of 20th-Fox's "The Mark of Zorro"

(Continued on Page 6)

Report U. K. Offers 12 Million New Remittance Plan Under Consideration

Radio Spot Campaign for "Escape" on 55 Stations

Extensive radio spot announcement campaign is being accorded "Escape," by Metro. Announcements, which will start four or five days before playdate, will be used in 45 of the country's largest cities, via 55 stations.

Reliable reports at the week-end indicated that the latest U. K. remittance offer to American film companies was \$12,000,000 in cash whether earned or not. Joseph P. Kennedy, U. S. Ambassador to Great Britain, was said to have advised further negotiations, but there appears to be a majority sentiment here for accepting the offer.

First offer was \$5,000,000. Old

(Continued on Page 6)

Estimate Based on Appeal Case; Cheaper Than a Suit, But Exhibs. Wonder

Cost of taking a controversy to arbitration and appeal, as specified in the proposed consent decree in the New York equity suit has some exhibitors wondering whether the procedure is a "rich man's ordeal," considering the expenses involved. On the basis of minimum expenditure, an exhibitor's arbitration action will cost not less than \$375 if he appeals a decision.

This figure was determined by a reliable authority who sized up the picture as follows:

Cost of filing, \$10; half the ar-

(Continued on Page 4)

Single Real Indie Unit Urged by ITOA

ITOA is willing to join hands with Allied and all independent exhibitor interests to put up a solid front against further obstacles that may be tossed in the way of smooth operation. Harry Brandt, ITOA president, yesterday told THE FILM DAILY that his organization "had no axes to grind" and is ready to co-operate

(Continued on Page 8)

Sunday Legit. Approved By Equity's Membership

In a nation-wide referendum the membership of Actors Equity voted approximately five and one-half to one in favor of Sunday shows without extra remuneration, it was announced Friday after tabulation of the ballots had been completed. The

(Continued on Page 8)

"Santa Fe Trail" in N. M. Bow on Dec. 14

Warners will give "Santa Fe Trail" its world premiere in—guess where!—Santa Fe, N. M., on Dec. 14, it was confirmed at the week-end. Pic opening will have all the trimmings, plus, with the State and Warners joining hands. Jamboree will span three days. Erol Flynn, Olivia De Havilland, Alan Hale and others of the cast will make p.a.'s.

THE Film DAILY

ALL THE NEWS
ALL THE TIME

Vol. 78, No. 89 Mon., Nov. 4, 1940 10 Cents

JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEREAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(QUOTATIONS OF FRIDAY, NOV. 1)

NEW YORK STOCK MARKET

Am. Seat.	High	Low	Close	Chg.
Col. Pict. v. (2½%)				
Armbria Pict. v. ptd.				
Con. Ind.	9¼	9¼	9½	— 1/8
Con. Fm. Ind. ptd.	9¼	8¾	9	— 1/2
East. Kodak	137	136	136½	— 1
Gen. Tel.	111½	111½	111½	— 1/8
Gen. Th. Eq.	27½	27	27½	— 3/8
Loew's, Inc.	106½	106½	106½	— 3
do ptd.	106½	106½	106½	— 3
Para. 1st ptd.	92½	92½	92½	— 1/2
Para. 2nd ptd.	10½	10½	10½	— 1/8
Pathe Film	10½	10½	10½	— 1/8
RKO	2½	2½	2½	— 1/8
20th Century-Fox	6	5½	5½	— 1/8
20th Century-Fox ptd.	15½	15½	15½	— 1/8
Univ. Pict. ptd.	82	82	82	— 1/8
Warner Bros.	2½	2½	2½	— 1/8
do ptd.	37½	37½	37½	— 1

NEW YORK BOND MARKET

Keith B. F. ref. 6½	103½	103½	103½	— 1/8
Loew's deb. 3½	103½	103½	103½	— 1/8
Para. B way 3555				
Para. Pict. 665				
Para. Pict. cv. 3½	92	92	92	— 1/4
Warner Bros. deb. 6½	86	86	86	— 1/8

NEW YORK CURB MARKET

Monogram Pict.				
Sonotone Corp.	9½	9	9½	— 1/8
Technicolor				
Trans-Lux				
Universal Corp. vtd.	3½	3½	3½	— 1/8
Universal Pict.				

Block Copyrighting Legal by Capital Court

Washington Bureau of THE FILM DAILY
Washington 2. Block Copyrighting of features and comics is legal, Justice Daniel W. O. Donoghue ruled in District Court Friday, in a case instituted by King Features. A similar case involving 20th Century-Fox is now pending in the U. S. Court of Appeals here. In that case, Justice Jennings Bailey in District Court ruled in favor of 20th Century-Fox.

The Broadway Parade

Picture and Distributor	Theater
The Great Dictator (United Artists-Chaplin)—4th week (d)	Capitol
The Long Voyage Home (United Artists-Wanger)—3rd week, last day	Rivoli
Arise, My Love (Paramount Pictures)—3rd week	Paramount
Knute Rockne—All American (Warner Bros. Pictures)—3rd week	Strand
East of the River (Warner Bros. Pictures)—2nd week	Globe
Escape (Metro-Goldwyn-Mayer Pictures)	Music Hall
The Mark of Zorro (Twentieth Century-Fox)	Roxby
Haunted Honeycomb (Metro-Goldwyn-Mayer Pictures)	Criterion
Mexican Spirit Out West (RKO Radio Pictures)	Rialto
Escape (Metro-Goldwyn-Mayer Pictures) (a-b)	Central
The Face at the Window (Arthur Ziehm, Inc.) (a)	Central
Glamour for Sale (Columbia Pictures)	Bryant
City for Conquest (Warner Bros. Pictures)	Palace
Slightly Tempted (Universal Pictures) (a)	Palace

TWO-A-DAY RUN

The Great Dictator (United Artists-Chaplin)—4th week	Astor
--	-------

FOREIGN LANGUAGE FEATURES

The Baker's Wife (The Baker's Wife Co.)—35th week	World
Two Women (Paragon Pictures)	55th St. Playhouse
Mayerling to Sarajevo (Leo Films)	Little Carnegie
Heritage (French Cinema Center)	Belmont
Anderssonskas Kalle (Scandinavian Talking Pictures)	48th St. Theater

FUTURE OPENINGS

Christmas in July (Paramount Pictures)—Opens tomorrow	Rivoli
Northwest Mounted Police (Paramount Pictures)—Nov. 6	Paramount
Tugboat Annie Sails Again (Warner Bros. Pictures)—Nov. 11	Strand
Fantasia (Walt Disney)—Nov. 13 (e)	Broadway
Cherokee Strip (Paramount Pictures) (c)	Rialto
You'll Find Out (RKO Radio Pictures)—Nov. 14	Roxby
Bittersweet (Metro-Goldwyn-Mayer Pictures) (c)	Music Hall
They Knew What They Wanted (RKO Radio Pictures)—Nov. 7 (a-b)	Palace
A Little Bit of Heaven (Universal Pictures)—Nov. 7 (a)	Palace
The Merry Wives (Edgar Lloyd) (c)	Bryant

(a) Dual bill. (b) Lloyed run. (c) Follows current bill. (d) Continuous, unreserved. (e) Two-a-day run.

SPG Files List of Claimed Eligibles With the NLRB

Complete lists of advertising and publicity employees in the home offices deemed eligible for its collective bargaining unit were filed by the Screen Publicists Guild with Charles Kramer, trial examiner of the National Labor Relations Board, on Saturday. Similar lists were requested of the several major companies by the NLRB, and it is expected that these will be forwarded at an early date.

Filing of these lists of employees by the Guild followed the hearings before the Board with the major companies on a petition by the SPG to be named collective bargaining agent for all advertising and publicity department employees, during the past week.

The companies that appeared at the several hearings as a result of this petition were Columbia Pictures, Warner Bros., Paramount, United Artists, RKO, M-G-M and 20th Century-Fox.

RKO Passes Pfd. Dividend; \$4.50 Now Unpaid on Share

RKO's board, at a meeting held late last week, considered the declaration of a dividend upon the 6 per cent Preferred and determined to take no action. As of Oct. 31, the dividends accumulated and unpaid upon such stock were \$4.50 per share.

Musical Tab. and Pix Back

Boston—RKO Boston theater has again restored policy of tabloid musical shows with one feature and news reels.

Court Reopens Allowances For Four in Reorg. of RKO

Reopening of RKO allowances to four applicants was directed Friday by Federal Judge William Bondy, who ordered a hearing on an unfixed date. The decision was made on application of George L. Schein, who received \$9,325; Abel Gottheimer and Bernard Bercu, who received \$2,000; and David Stock, who received nothing. Rehearing in each case was sought on the ground that the awards were not commensurate with the amount of work done.

S-W Won't Cut Election Results Into Features

Philadelphia — Published report that Stanley-Warner, tying in with Station WCAU to present election returns to patrons, would cut into the feature to speed announcement of results is incorrect. Dave Weshner says S-W will use the theaters' p.a. systems to give results before and after the feature, and again in and between shorts and newsreels.

See At Least Three Weeks For "Dictator" in Boston

Boston — "The Great Dictator" opened at both Loew's State and Loew's Orpheum at advanced prices to largest crowds since GWTW. Present plan is for Chaplin show to run at least three weeks in Loew houses here.

COMING and GOING

HERMAN WOBBER, 20th-Fox sales manager, left Chicago Friday for San Francisco.

WILLIAM C. GEHRING left Chicago Friday for Buffalo to visit his mother who is ill.

GABRIEL PASCAL is due here from England next month to arrange for release through U.A. of his just completed Shaw film, "Major Barbara."

MRS. KNUTE ROCKNE, widow of the Notre Dame football coach, arrived in New York at the week-end for a short visit. She attended the Notre-Dame-Army football game Saturday.

PRISCILLA LANE arrived by train on Saturday from the Coast to start a p.a. tour on Nov. 8 at the Strand premiere of "Tugboat Annie Sails Again."

JEANETTE MACDONALD leaves the Coast this week to begin her concert tour which opens Nov. 11 in Little Rock. She will be heard in 11 other cities before returning to the Coast for the Christmas holidays.

RALPH MORGAN was due here at the week-end by plane from Hollywood to play the leading role in "Fledgling," stage play which Otis Chaffield-Taylor is producing.

FRANCES LANGFORD will leave with her husband, JON HALL, for a Florida vacation following her appearance at the N. Y. Paramount.

MRS. NICHOLAS BELA, wife of the screen writer-actor, has returned to New York from Boston, and will leave shortly for Hollywood.

MARY WICKES, who plays the nurse in "The Man Who Came to Dinner," was scheduled to fly to St. Louis after Saturday night's performance to play the same role in the touring company. RUTH SHERRILL, playing the role on tour, comes to New York for the same role in the Broadway company.

Freiday Off Universal's Board; to Name Successor

William Freiday, Universal Corp. director who recently instituted a stockholders' suit against "U," was dropped as a board member at a special stockholders' meeting Oct. 28, it was confirmed at the week-end. Vacancy will be filled shortly, it is understood.

37½c Roxby Pfd. Dividend

The Board of Directors of Roxby Theater, Inc. at its meeting yesterday declared a quarterly dividend of 37½c per share on the outstanding Preferred Stock of the corporation, payable Nov. 30, to stockholders of record at the close of business on Nov. 16.

"Happy Birthday to You"



From THE FILM DAILY to NOVEMBER 4
J. S. Hummel
William Hedwig
Dixie Lee
Don Alvarado
NOVEMBER 5
Will H. Hays
George J. Schaefer
Joel McCrea

Theodore von Eltz
Helen E. Hughes
Eddie Edelson

"North West
Mounted Police"
is the biggest
money picture
Paramount has
had since sound.

Leil Hyman

Canadian Clearance Plan Strikes Snags

(Continued from Page 1)

Hamilton, designated to serve by the Vancouver organization.

A. J. Mason, past president of Allied in Nova Scotia, and chairman of the Conciliation Committee there, has wired Toronto, stating that while he appreciates the need of a Toronto representative for the Eastern provinces on the National Clearance Board, Nova Scotia already has a conciliation board with powers, to deal with clearance and other problems, which is functioning satisfactorily. Mason asks if it is the intention of the new National Board to use the Nova Scotia Board, already established, to adjust clearance withing the maritime provinces.

The problems are now being worked on by H. Alexander, Toronto, representing the Independent Theaters Association, and Thomas J. Brody, Ben Geldaaler and Morris Stein, also of Toronto, who have been named to act for affiliated theaters in the Dominion.

"Fastasia" Jurisdictional Dispute Ended by Browne

(Continued from Page 1)

disappeared Friday when all difficulties between Local 1, stagehands, and Local 3, electricians, were settled. Full crews from both unions went to work in the theater at 8 A.M. Friday after a huddle the previous night between union leaders to iron out the jurisdictional dispute.

Local 1 is handling the installation of all the Disney equipment in the house, and Local 3 is handling the removal of all permanent equipment and will also re-install it when the run of the Disney picture is completed. The picture requires special sound equipment. George E. Browne, IATSE prexy, was instrumental in ironing out the dispute.

Seward Rites on Coast

West Coast Bureau of THE FILM DAILY

Hollywood—Rites for George H. Seward, 67, founder and president of the Television Engineers Institute of America and the Hollywood Television Society, were held Friday. Seward was a tele pioneer.

Metro Buttons for Two

F. J. Reimer and Warren Smith, of Quimby Theaters, have been awarded M-G-M Honor Roll Buttons for their outstanding exploitation campaign for "Strike Up the Band" in the film's Embroid, Fort Wayne, Ind., engagement.

No Paper Tomorrow

No edition of THE FILM DAILY will be published tomorrow, Election Day, a legal holiday. Staff correspondents should govern themselves accordingly.



● ● ● SOME 70 leaders of filmland, theatrical and allied fields attended a Hotel Astor luncheon on Friday to organize the amusement industry for the 1940 campaign of the New York and Brooklyn Federations of Jewish Charities.....in behalf of 116 health and welfare institutions serving Greater New York..... Co-Chairmen David Bernstein and Major Albert Warner presided and the 1940 Campaign Chairman Joseph M. Proskauer delivered the standout address before the distinguished gathering.....which included Paul Felix Warburg, chairman of the Business Men's Council of Federation.....

● ● ● THOSE at the gathering pledged themselves to 30 to 50 per cent increased support of Federation this year.....which is one of the most vital in the organization's magnificent history of humanitarian work.....Barney Balaban, Nate Blumberg, Jack Cohn, George J. Schaefer and Murray Silverstone will serve as vice-chairmen, it was announced.....Chairmen in charge of enlisting support for Federation in the industry are:.....Abe Schneider, Columbia; Leopold Friedman, Loew's-M-G-M; Arthur H. Israel, Jr., Paramount; Malcolm Kingsberg, RKO; Joseph Hagen, Warners.....Joseph M. Moskowitz, 20th-Fox; Paul Lazarus, UFA; Budd Rogers, Indie Producers; Joe Seidelman, Universal; Herman Robbins, National Screen Service; Joe Basson, M. P. Operators.....Max Schlesinger, Importers; Harry Buxbaum, Exchanges; Roy Norr, MPPDA; William Morris, Jr., Artists' Representatives; Louis Nizer and William Klein, Attorneys.....Arthur Murray, Dancing Schools; Harry Brandt, Indie Theaters; Alan Freedman, Labs; B. B. Moss, M. P. Accessories; Jack Alciato, Publications; Marcus Heiman, Legit. Theaters; Ted Friend, Night Clubs; and Louis Bernstein, Music Publishers and Composers.....

● ● ● OTHER members of the Federation committee to attend Friday's luncheon were:.....Leon J. Bamberger, Irving Barry, Max B. Blackman, Lawrence Bolognino, Jules Brulatour, Jerry Danzig.....Louis Frisch, Leon Goldberg, Toby Gruen, Bertram Lehar, Joe Lee, Bud Lytton, George Morris, Charles H. Moses.....Ralph Poucher, Martin Quigley, Harold Rodner, Samuel Rosen, Max Rudnick, Ed Rugoff, Aubrey Schenck, Sam Shain, George Skouras.....Charles Sonin, Nathan D. Spingold, Sam Straussberg, Joseph R. Vogel, A. P. Waxman, Maurice Bergman, Leo Brecher and Max Seligman.....

● ● ● ON Friday morn, John Ebersson, prominent film theater architect, was in a jovial mood.....until he turned to Page 3 of the N. Y. Times.....and his eye fell on a three-column picture of a film house.....on whose facade was a big sign reading: "Deutsches Soldatenkino" (German Soldiers' Theater).....Ebersson all but swallowed his cigar with surprise and indignation.....'cause the theater was the "Rex" in Paris which he had designed a decade ago.....He all but wept in contemplation that his name is in bronze letters on the face of the house.....(that was a State law in the France-that-was).....His sympathetic staff employees tried to comfort their boss o'er the theater's grim fate.....Most successful was a draftsman who opined that, after all, "those Nazi invaders ALWAYS pick out the BEST for themselves".....and that should be partial consolation to Mister Ebersson.....

● ● ● FLASH!—Phil M. Daly's Election Forecast:.....Columbia's sales force to carry "Arizona".....Metro to bag "Wyoming".....Roy Rogers to clean-sweep in "Colorado".....Herman Wobber to corral returns from "Maryland".....and Leo the Lion to certainly carry Mane.

See \$375 Minimum Arbitration Cost

(Continued from Page 1)

bitrator's fee if hearing lasts only one day, \$25; transcriptions by court reporter and extra copies, \$90; minimum attorney fee for preparing brief, \$25; argument by attorney before arbitrator for one day, \$25; appeal, \$25; brief, \$25; presentation to appeal board by attorney for one day, \$25; railroad fare and expenses to New York, \$125.

This totals up to \$375 with all items held to a minimum, except the arbitrator's fee. It is also pointed out that the arbitrator's maximum fee is \$50 a day, but smaller fees are possible depending on the importance of the case. On the other hand, it is pointed out that this figure is small compared with the cost of taking a case to the courts.

Ontario Sees Any New Tax at Least 18 Mos. Off

(Continued from Page 1)

levies is interpreted to mean there will be no new amusement tax in this province for at least another 18 months. Hepburn also states no increases are contemplated in levies on profits, incomes or against corporations.

Canadian NFB "Newsreel" Give Camp Life Closeups

Montreal—Something new in motion pictures produced by the National Film Board is to be tried out, may find increasing use if it serves its purpose well. Four newsreel-type five-minute subjects have been produced by Associated Screen News for the Board. Each one illustrates activities in one military camp in Quebec, will show the folks at home how the boys fare during their period of military training.

Canal Point House Opens

Canal Point, Fla.—The New Prince theater, a Gold-Dobrow house, opened yesterday. Malcolm Millar is manager.

Defer Conn. Allied Meet

New Haven—The regular Allied Theater Owners of Connecticut luncheon meeting, scheduled for tomorrow, has been postponed one week.

STORKS!

Peoria, Ill.—Bill Harding, manager of the Madison theater, announces the birth of John Robert Harding, weighing 7½ pounds.

Chicago—The former Betty Sandler, before her marriage an executive with Guercio & Bartel, theater equipment firm, is the mother of a baby boy in Indianapolis. She is now Mrs. William Marks.

Cincinnati heard
from ! . . .

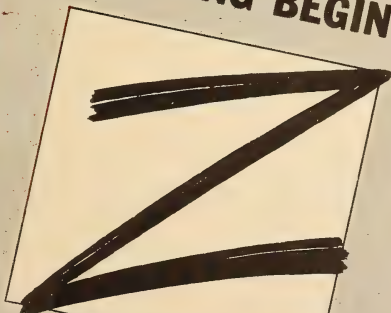
WALLOP POLL SAYS ZORRO'S IN!

Roxy, N.Y., reports! . . .

ZORRO BY A LANDSLIDE!

WE WANT ZORRO!
WE WANT ZORRO!

THE MARK OF MILLIONS
AS NATION-WIDE
BALLOTING BEGINS



THE MARK OF

Zorro

20th
CENTURY
FOX

Para. 9-Mos. Profit Up Nearly 2 Million

(Continued from Page 1)

includes \$316,000 representing Paramount's direct and indirect net interest as a stockholder in the combined undistributed earnings of partially owned non-consolidated subsidiaries and \$22,000 profit on debentures. Net earnings before allowing for increased taxes are estimated at \$1,944,000. For the corresponding quarter of last year, earnings were \$710,000.

9 Months' Earnings \$4,810,000

Earnings for the nine months ended Sept. 28, after providing for additional taxes, are estimated at \$4,810,000, including \$1,355,000 as its share of undistributed earnings of partially owned non-consolidated subsidiaries and \$88,000 profit on purchase of debentures. Last year's earnings for the nine-month period were \$2,840,000.

There were outstanding as of Sept. 28, last, 136,689 shares of cumulative convertible \$100 par value 6 per cent first preferred stock and 543,870 shares of cumulative convertible \$10 par value 6 per cent second preferred stock. After deducting \$286,614 of dividends accrued for the quarter on these preferred shares, the remaining \$1,439,386 of estimated combined consolidated and share of undistributed earnings for the quarter represent 58 cents per share on the 2,465,927 shares of common stock outstanding on Sept. 28, last, which compares with 17 cents per share for the quarter ended Sept. 30, 1939.

\$1.60 Dividend on Common

Computed on the same basis, the estimated combined consolidated and share of undistributed earnings for the nine months ended Sept. 28, last, represent \$1.60 per share on such common stock outstanding, which compares with 79 cents per share for the nine months ended Sept. 30, 1939.

During the first six months of 1940 the corporation acquired 3,082 shares of its first preferred stock, and during the third quarter, 4,900 shares of first preferred stock and 11,200 shares of second preferred stock, making a total of \$910,200 par value of both issues acquired during the nine months. These shares were acquired at a discount of approximately \$170,000, which amount has been credited to a special capital surplus account.

Balaban Received \$236,635 In 1939, Paramount Tells SEC

In an amendment to its 1939 annual report to the SEC, Paramount Pictures, Inc., showed that the salary of Harry L. (Bing) Crosby Jr. in 1939 was \$250,000. Fred MacMurray was paid \$240,333 during the year and Barney Balaban, president and director, was paid \$236,635 in that capacity and as a director and employee of Balaban & Katz.

THE WEEK IN REVIEW

Decree Goes to Court—Hearing Nov. 14

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: Court hearing on the consent decree in the New York anti-trust suit against the "Big Five" is set for Nov. 14 . . . D of J exec. reported at mid-week that both Attorney General Robert Jackson and Thurman W. Arnold, Asst. Atty. Gen'l, had passed the decree. Full text of the decree and the rules of arbitration were published in *THE FILM DAILY* on Wednesday . . . Complaint against the "Little Three," which must stand trial, will be put in a wholly new form . . . Hollywood execs. forecast a production boom resulting from the decree . . . Exhibitors were reported ready to protest to Judge Henry W. Goddard . . . Abram F. Myers, Allied general counsel, submitted an analysis of the decree. He told the Ohio ITO that the blocks of five provision held no cure for indie evils, and saw in the decree a "joker" on circuit expansion . . . Max A. Cohen, addressing new Syracuse unit of N. Y. MPTO, characterized the decree as "treacherous" and "vicious" and stated that the indies had been "sold down the river" by Myers and Col. H. A. Cole, Allied presy.

FINANCIAL: Twentieth Century-Fox reported a net loss for the fiscal year of \$1,075,611 . . . K-A-O reported a 39-week net profit of \$489,259.77, with a 52-week net, including subsidiaries, of \$989,346.15, or \$101,860 ahead of the previous year . . . B. F.

Ainley Stays With WB Through Suit's Settlement

An agreement which permits Richard Ainley to continue working for Warner Bros. Pictures was entered into yesterday between Select Theaters Corp., plaintiff in a suit, and Ainley and Warners, defendants. Suit had demanded an injunction against the defendants on the ground that Select had an exclusive contract with Ainley and was dickering with Metro. The agreement calls for weekly payments to Select totaling \$10,000 for the first year, and further payments if the Ainley option is exercised by Warners.

20th-Fox Closes Product Deals

Chicago—William C. Gehring, central division manager for 20th Century-Fox, who left here Friday for Buffalo to visit his mother who is ill, stated before leaving that new season product deals had been closed with the B & K and the Schoenstadt circuits.

Pathe Film Offices Moved

Effective today the offices of Pathe Film Corp. and Pathe Laboratories, Inc., will be located at 35 W. 45th St. Offices were moved over the week-end from 1250 Sixth Ave.

Keith 39-week net was \$279,385.05 and for the 52 weeks \$698,385.20.

MISCELLANY: Eastman Kodak Co. stated that all profits on its national defense contracts above 10 per cent would be returned to the Government, with income and excess profits taxes eating up about two-thirds of the 10 per cent profit . . . Will H. Hays, MPPDA prexy, and Joseph P. Kennedy, U. S. Ambassador to England, now in this country, conferred on latest U.K. offer on remittances, with other confabs to follow . . . Ohio ITO re-elected Martin G. Smith prexy and members, dissatisfied with consent decree, expressed view that it might be necessary to revive the Neely anti-block-bookings bill . . . UA stated it would speed releasing of Chaplin's "Great Dictator" . . . Neil F. Agnew said the NWMP, booked in 850 circuit theaters at advanced prices, was Para's biggest success in 12 years . . . Warner Bros. set basic production plans for 1941-42 . . . St. Louis exhibs. came out in favor of singles, according to Better Films Council, with F & M reverting to duals after singles experiment . . . Industry completed its setup of defense program, with Dr. Leo Kosten heading film division of national defense commission . . . Hollywood facilities are placed at Army disposal for making of training reels . . . Industry trailers being prepared pleading for national unity for free distribution to exhibs. right after the election.

Hoover Replaces Fine As Miami City Manager

Miami—George Hoover has been named city manager of Paramount Enterprises, Inc., by S. A. Lynch. He was formerly manager of the Sheridan, a Paramount house at Miami Beach, and succeeds Hy Fine. Fine came to Miami from New Haven to take the place vacated by the resignation of W. R. Lynch, but after reaching here decided he preferred the North, so immediately resigned. Austin Moon, manager of the Boulevard Theater, will take over the Sheridan.

Bowes to Give Edmar II to Navy

Major Edward Bowes, who yesterday turned over his 81-foot yacht Edmar to the Navy, informed Rear Admiral Woodward that today he will give the Navy his 29-foot yacht, Edmar II.

Kyser-Pix In 100 Spots

Kay Kyser's "You'll Find Out" has been set in for 100 day-and-date openings for Thanksgiving week, with the world premiere at the Roxy Theater, New York, on Nov. 14, the week preceding.

Report U. K. Offers New Monetary Plan

(Continued from Page 1)

agreement ended Oct. 26 and will remain in status quo until a new agreement is reached.

"Zorro" Debut Gives Two Cincy Theaters Top Biz

(Continued from Page 1)

set opening days records for the year at the Albee and Shubert theaters Friday. Three-day celebration staged for the premiere marked the homecoming of Tyrone Power, who came from Hollywood with his wife and his mother, Mrs. Patia Power.

The star kept a schedule which called for three luncheons, one reception and dinner, a charity ball, two theater appearances and five radio programs, including the Vox Pop and Kate Smith hours on the nation-wide network of CBS. Never before has a picture had such advance exploitation in this city. A total of 12 radio broadcasts were used by Twentieth Century-Fox and the RKO theaters here in broadcasting the premiere activities. A three-week run is predicted for "The Mark of Zorro."

Can Mobilize Industry Quickly, Says Nathanson

Montreal — "The film industry, both in the United States and Canada, can be mobilized very quickly to give assistance during war," declared N. L. Nathanson, managing director of Famous Players Canadian Corp. in an interview during a tour of the company's theaters in Canada.

The remark was evoked by a question regarding the assistance the film industry in Canada had given to the nation's war effort. He emphasized that not only had film theaters greatly aided the War Savings Drive, which was backed by the U. S. industry, but that valuable work is being done by the National Film Board and the theaters in presenting films which show the bravery of the Empire's fighting forces and the speed with which war industry is being mobilized. In particular, he lauded the "Canada Carries On" series and "Convoy," a Navy film.

Columbia Club Dance Tonight

Annual informal dinner-dance of the Columbia Club will be held tonight, starting promptly at 7, in the Century Room of the Commodore Hotel. Sammy Kaye and his show will furnish the music and entertainment. Arrangements for the "Fall Affair" were made by Philip Weisman, club's prexy, and a committee.

REVIEWS

"Seven Sinners"

with Marlene Dietrich, John Wayne, Broderick Crawford

Universal 86½ Mins.

ACTIONFUL SOUTH SEA STORY IS BANG-UP ENTERTAINMENT FOR ALL AUDIENCES, WITH DIETRICH NEVER TITTER.

Credit another home run for Joe Pasternak and Universal in the hit column. This picture has every element of entertainment general audiences want, like and will go to see and advertise it to their friends by word of mouth as something they should see. There is romance, drama, the languorous background of the South Seas, a delicious woman, strong men and action galore contained in the hour and quarter of film that goes on the screen. In addition to the general action, there is a bar room brawl that should end bar room brawls for all time and which should leave the customers limp.

Pasternak demonstrates once again his ability as a producer, not that anyone doubts it, with the production background of the picture all that the most critical audience could desire. Director Tay Garnett approached the job skillfully and winds it up with the same way, making the most of every scene and guiding the players deftly through their paces. Credit a neatly rounded screenplay to John Meehan and Harry Tugend, and the full-bodied original story to Ladislav Fodor and Laslo Vada. Rudolph Mate also deserves a great deal of credit for his beautiful photography, with Miss Dietrich never getting a better break from the cameras in her screen career than she does in this picture.

Exhibitors have plenty to sell in this picture. A new Dietrich the way the public likes her, the handsome and virile John Wayne, comics aplenty in the persons of Billy Gilbert, Mischa Auer and Vince Barnett, Broderick Crawford in a fine performance, Oscar Homolka as a leering menace; the seamy side of life in the south seas and numerous other angles. The picture is a natural for exploitation and selling to the public.

Miss Dietrich puts over several songs, glides through the picture in clothes that will get double takes, and her performance is one of the best she has ever given, adding laurels to Garnett's ability as well as her own. Wayne is everything that the script asks of him and a little more. The comedy is plentiful and extremely amusing. All in all there is little that could be criticized about any of the nicely drawn characterizations. Samuel S. Hinds, Richard Carl, Reginald Denny and Albert Dekker are solidly capable additions to the cast, which in its entirety, is well above average. Dekker is excellent in his role.

The story itself is not particularly new in its theme, but its telling has been skillfully handled. There is tender romance, tense drama and heartbreak neatly woven together. The ending may not satisfy some people and it will probably satisfy others, which is a fair average. However, it's a cinch that all audiences will be thoroughly entertained by the picture and as that's the purpose in the first place, everybody will be happy.

CAST: Marlene Dietrich, John Wayne, Albert Dekker, Broderick Crawford, Anna Lee, Mischa Auer, Billy Gilbert, Richard Carl, Samuel S. Hinds, Oscar Homolka, Reginald Denny, Vince Barnett, Herbert Raw-

Penn-Orpheum Team Take Comerford League Honors

Wilkes-Barre, Pa.—The Penn-Orpheum team and its members walked away with all the awards at the first annual dinner of the Wilkes-Barre division of the Comerford Theater Softball League here. The team was awarded the M. E. Comerford trophy for winning the inter-city crown and the John J. O'Leary trophy for capturing the division title. In addition, individual members received inscribed tie clasps. Members of the winning team are Eugene Carroll, James Heffernan, John Walsh, John Joseph, Leo Hill, Frank Jones, James Thompson, Thomas Brinzo, Ray Conrad, Mark Thomas, Philip Dress, Harry Jones and Charles Kelly.

District Manager Thomas V. Killen was presented with a pipe by the boys.

John Comerford, executive, was toastmaster. Killen and the following managers were speakers: John Galvin, Penn; Fred Hermann, Irving; Bill Walsh, Comerford; Ed Lawler, Strand; Frank Jones, Orpheum; Walter Rooney, Hart; Bill Keating, Shawnee; Fred Lee, Capitol.

NWMP Gets Extra Time In First 10 Key Dates

Paramount's pre-released NWMP, has been held over for extra playing time in its first 10 key city engagements, reports to the Paramount home office over the week-end indicated. In its first week at the Newman Theater, Kansas City, pix did 233 per cent of weekly house average; at the Majestic, Houston, 175 per cent, and in Memphis, the Malco Theater scored 243 per cent.

Fair Equipment Goes Into Army Theaters

Equipment from the Federal Building at the New York World's Fair will be placed in the two Army theaters at Fort Dix, N. J. Equipment includes projection machines and theater seats.

Powell-Loy for 'Married Bachelor'

Hollywood—Metro has cast William Powell and Myrna Loy for "Married Bachelor," following their appearance in "Mr. Co-Ed." Dore Schary and Lionel Houser are making the adaptation.

Retchin on His Own

Chicago—Lester Retchin has resigned as manager of B & K's Howard to operate the Oakley, acquired from the Langdon Circuit.

linson, James Craig, William Bakewell, Antonio Moreno, Russell Hicks, William Davidson.

CREDITS: Producer, Joe Pasternak; Director, Tay Garnett; Screenplay, John Meehan and Harry Tugend; Original Story, Ladislav Fodor and Laslo Vada; Camera-man, Rudolph Mate; Editor, Ted Kent.

DIRECTION, Expert. PHOTOGRAPHY, Excellent.

Erpi Scientists . . .

Put Bugs In Invention

Erpi's mathematical physicist, Dr. W. J. Albersheim, has been having a lot of fun lately in the development by his associates and himself of an optical instrument for measuring the "density" or pattern of light and shade which comprises a motion picture film. Instrument is known as,—"and don't let it scare you,—the Integrating-Sphere Densitometer. The good, scientific Doctor Albersheim avers that it's been tried out on such extremes as lightning-bugs and the blinding glare of sunlight arcs, and is very much okay-dokey.

Documentaries to Be Shown at Columbia U

The Association of Documentary Film Producers will present a series of contemporary film programs, titled "Living History," in cooperation with the Institute of Arts and Sciences of Columbia University, commencing tonight. The films will be shown on alternate Monday nights throughout the Winter at the McMillan Theater.

Among films on the program are "And So They Live," dealing with the Kentucky mountaineers and produced by John Ferno and Julian Roffman; "The White Flood," a Scientific film dealing with the geological history of the earth; "Power and the Land," produced by Joris Ivens, which RKO is releasing, and "Youth Gets a Break," dealing with the work of the National Youth Administration.

Lectures on the art of the documentary film will supplement the film programs. Scheduled as speakers are Ivens, Willard Van Dyke, Robert Flaherty, John Grierson and Iris Barry, curator of the Film Library of the Museum of Modern Art.

Carolinas TOA Convention Committees Are Announced

Charlotte, N. C.—Committees to function at the convention of the TOA of North and South Carolina, which meets in Charlotte Dec. 1-2, were announced at the week-end. They are:

Resolutions, M. S. Hill, Greensboro, chairman; Fred J. Powell, Chester, S. C., and O. F. Kirby, Roxboro.

Membership, W. C. Ormand Ayden, chairman; H. E. Wessinger, Lexington, S. C., and William Conn, Gastonia.

Publicity, George Carpenter, Valdese, chairman; Harold Armistead, Easley, S. C., and A. R. Mason, Laurens, S. C.

Reception, H. H. Everette, Charlotte, chairman; E. L. Hearne, Albemarle, Mrs. Ruma Curtis, Liberty, and Mrs. H. T. Green, Manning, S. C.

Billie Burke for N. Y. Stage

Hollywood—Billie Burke will reportedly return to the Broadway stage early in the new year in a musical show with the tentative title of "Here We Go."

RCA Reports 9-Mos. Profit of \$5,713,943

(Continued from Page 1)

stock exactly doubled during the first nine months of 1940 over the same period of 1939. The figures were \$0.238 for the present nine-month period as opposed to \$0.119 during the preceding year.

Net profit for the quarter ended Sept. 30 amounted to \$1,985,31.89 this year as compared with \$1,894,224.15 during the third quarter of 1939. This amounted to \$0.085 per share of common stock this year, while the 1939 figure was \$0.079 per share.

Mexican Studios to Start 10 Within Next 2 Months

Mexico City (By Air Mail)—Domestic production, long creeping along at a snail's pace, is quickening, and no less than 10 features will be sent before the cameras within the next two months. This is in addition to several now in work and others just completed and released.

Rafael Arzos has camera work well along on his second production, "El Milagro del Cristo" (The Christ's Miracle), with Arturo de Cordova, Maria Luisa Zeta, Aurora Walker and Manuel Noriega heading the cast under Francisco Elias' direction.

Tracheta y Elvira has completed "El Monje Loco" (The Mad Monk), Alejandro Galindo directing. This is to be first of a series of six two-reel shockers, each complete in itself, adapted from the radio program of the same name which was broadcast over XEQ for over a year. Alicia Ortiz, Victor Junco and Arturo Soto are among the principals.

Miguel Contreras Torres has finished camera work on his latest production for Colonial Films, "Hasta que Llovio en Sayula" (It Won't Be Long Now), with Carlos ("El Chafan") Lopez starring.

Two Firms In Fade-out

Albany—American Documentary Films, Inc. has filed dissolution papers through Fitchelson & Mayers, with the Secretary of State.

Dissolution papers have also been submitted to the Secretary of State on behalf of Sports Features Distribution, Inc. through Chadbourne, Wallace, Parke and Whiteside.

Form 21st Cent. Film Corp.

Albany—Charter papers have been issued to Twenty-First Century Film Corp. to do film biz in New York. Subscribers are Emory Stern, Jackson Heights, Maurice H. Weiss, and Arpad Szemera, New York. Weiss was filing counsel.

CA to Pay \$3 on P'fd.

Montreal—Directors of Confederation Amusements, Ltd., have declared a dividend of \$3 a share on the preferred stock, payable Dec. 4 to shareholders of record Nov. 15.

Single Real Indie Unit Urged by ITOA

(Continued from Page 1)

in reaching a common solution on independent problems.

In some circles, an editorial in the ITOA publication has been interpreted to mean that ITOA is flirting with Allied on a plan for united effort in putting up a solid front, even to the extent of merging. This editorial reads, in part:

"The ITOA invites the substantial leaders of Allied to mend their fences, and clean their houses, so that it will be possible for independent exhibitors to have one real independent exhibitor organization. Now, certainly, is the time for exhibitor leaders to come to the aid of their constituents."

Bemoaning the lack of a united front as the reason for "many bad things to happen," the editorial, in a previous paragraph, said: "If the consent decree will not give exhibitors the aid they so badly need, decent legislation will. And while the ITOA has always been against legislation, yet the settlement of the Government anti-trust suit, which was supposed to benefit exhibitors, is so inimical to their interests it seems that enlightened legislation is the only salvation."

Nazis Okayed Only Three U. S. Features in 8 Mos.

Washington Bureau of THE FILM DAILY —While the Nazi ban on U. S. pix in Germany is of comparatively recent date, only three American features were okayed by the Propaganda Ministry during the first eight months of the year, the Commerce Department reported Friday. In the same period in 1939, 16 U. S. features were cleared.

Berne, Switzerland (By Air Mail) —Second only to the U. S., Germany now claims to lead all other countries in the number of motion picture theaters. According to a census which has just been completed, there are more than 7,000 "kinos" in the Reich, including the Eastern provinces, and licenses for 1,002 additional houses have already been granted.

Draft Hits Few In New Haven

New Haven—Only a few of the film people in this district have thus far had draft numbers drawn. In the low 300's was Tony Masella, assistant at the Globe, Bridgeport. Robert Schaefer, son of Louis Schaefer, Paramount Theater manager, Robert Johnson, son of Adolph G. Johnson of the Strand, Hamden, and Harold Rubin, manager of Metro Premium were over the 2,000 mark.

WB Schedules "Bomb Shelter"

West Coast Bureau of THE FILM DAILY —Hollywood — Warner Bros. has placed on immediate production schedule "Bomb Shelter" by Ben Markson.

Church Finds Games Opposition Too Much

Pittsburgh — One of the suburban churches, which for many years had been holding its weekly benefit card party on Tuesday evenings, has just announced that in the future it will hold the card parties on Wednesday nights, giving as the reason that the nabe theater had recently changed its Bank Night from Friday to Tuesday and the competition was too much for the church.

Sunday Legit. Approved By Equity's Membership

(Continued from Page 1)

Sunday shows permitted under the ruling will be allowed for a trial period extending to June 1, 1941.

What effect this move may have on week-end grosses of film houses in key cities cannot be determined until the plan has been in operation for some time. However, legit. producers would probably keep their houses closed either Monday or Tuesday if they are open Sunday, offsetting any bite into film biz, to some extent.

Junior members of Equity, although their votes were not counted, duplicated the senior membership vote, and Chorus Equity voted two to one in favor of the proposal. A meeting of the Equity Council will be held today to formally ratify the plan.

125 on Contract Roster At 20th-Fox Studios

West Coast Bureau of THE FILM DAILY —Hollywood—As of Nov. 1, 20th-Fox had 125 associate producers, directors, writers and players on its contract list, it was learned Friday. This figure does not include departmental heads, composers, musicians, etc.

Latest report from the studio indicates that it will have a total of five specials in Technicolor on this season's program, including pictures already released. Latest candidate for the dye vat is "The Road To Rio," another musical.

Rule Pix Misrepresented, Revoke Theater License

Birmingham, Ala.—Operating license of the Galax Theater was revoked by resolution of the City Commission as a climax to a controversy over the pix "French Girls' Club."

Commissioner of Public Safety Eugene Connor requested the action on the grounds that the theater's operators violated a city ordinance by misrepresentation in advertising.

The film, billed to show "inside secrets of 200 love-starved girls in a dormitory," was reviewed and approved on moral grounds by Police Sergt. C. N. Kicker.

Theater has taken the case to the courts.

Hub B. O. Biz Said Best in Five Years

(Continued from Page 1)

sition strength more houses in bright light district report best business in five years. Metropolitan, Keith Memorial, Loew's State, RKO Boston, Paramount, Loew's Orpheum, Fenway, all first-run houses say box-office is steadily improving.

Legit. theaters now open, and apparently so for the balance of the Winter and Spring are: the Shubert, Wilbur, Plymouth, Colonial, Copley and Civic Repertory. Last season for the greater part of the time not more than two theaters were open simultaneously. This season there are also three "little theaters" operating on Beacon Hill or nearby. The Civic Repertory, formerly a picture theater, has "Life With Father" turning away crowds and seemingly good for a six-months' run.

In the burlesque field cultured Hub now has Globe, Old Howard, Casino, Gayety and Bowdoin all running full time.

N. A. Taylor Adds 16th House to Canadian Chain

Toronto—N. A. Taylor has added a 16th house to his string of 20th Century Theaters by acquiring the Madison, 506 Bloor St. W., on a long-term lease. W. F. Brady is the present owner and manager. Seventy thousand dollars will be spent by 20th Century in completely remodeling the Madison. Theater will be closed for three months while it is rebuilt.

Chi. Exhibs., Operators Reach New Agreement

Chicago—Operators' union officials report that a successful agreement for a new contract was reached with theater owners after six hours' conference on Friday, subject to okay by the entire membership on Thursday.

The terms were not given out but reports indicate a renewal of last year's terms.

"Great Dictator" Opens In Denver Para. Today

Denver — "The Great Dictator" will have its western premiere at the Paramount here today, when one show will be given, in the evening, at \$1 a seat. This is a Fox house, and on the following day the film will start on a matinee and night basis, at 75 cents for matinee and \$1 at night. The film has also been bought for all other Fox towns in the territory.

Max Turner Rites Today

Chicago—Funeral services will be held here today for Max Turner, 53, B & K booking manager, who died suddenly from a heart attack. His widow and a son survive.

HOLLYWOOD SPEAKING--

By RALPH WILK

HOLLYWOOD — FRANK MORGAN and Irene Rich, the husband and wife of "The Mortal Storm" will pair again in "Keeping Company," first of Metro's new family features. Ann Rutherford will be their daughter, and will be romantically teamed with John Shelton. S. Sylvan Simon will direct this Samuel Marx production.

WARNERS have exercised contract option on Phillip and Julius Epstein. Duo scripted "Four Mothers," to be released in December. Current assignment is "The Bride Came C.O.D."

RAY KLUNE has been borrowed from David Selznick by Dr. William Sekely to be production manager on "New Wine" which Sekely will produce at the General Service Studios in conjunction with Alexander Korda. Klune is now functioning in the same capacity on Korda's "Lady Hamilton," on loan from Selznick.

"HOW Green Was My Valley," the film version of the Richard Llewellyn best-seller, is scheduled to start in production at 20th-Fox studios on Dec. 4 with William Wyler directing and Kenneth Macgowan acting as Associate Producer. The screenplay was prepared by Liam O'Flaherty and Ernest Pascal.

THE Low Irwin Agency has placed Jean Fenwick in a very important role in the next Ernst Lubitsch production, "That Uncertain Feeling"; Dorothy Fay is to have the leading role in the next Leon Barsha production for Columbia, as yet untitled; and Kay Sutton has one of the leading feminine parts in M-G-M's "Masie Was A Lady."

THE final title for the Stephen Longstreet novel, recently purchased by 20th-Fox and known as "Silk Puruses" and "Reolen's The Earth," will be "The Golden Touch." Frank S. Nugent, former movie critic of the N. Y. Times, is preparing the script.

CAL SHRUM's "Rhythm Rangers" are dickering with George W. Weeks on a 24 picture deal. The option will be signed about Nov. 10. Eddie Dean will appear in the series as well.

TYRONE POWER has been cast by 20th-Fox for the male lead in "The Great American Broadcast." Archie Mayo will direct.

WALTER ABEL has been signed by Paramount on a long term contract. Abel is being considered for top roles in three productions.

VIRGINIA VAN UPP, ace scenarist, has a new five-year contract from Paramount. M'ss Van Upp is currently working on the screenplay of "There's Always Juliet."

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 90

NEW YORK, WEDNESDAY, NOVEMBER 6, 1940

TEN CENTS

"PRESSURE" GROUPS CRITICAL OF DECREE Future Swedish Film Shipments Rest With Soviet

**Russian Consent to Ship
Pix to Finland is Also
Expected to be Necessary**

All future shipments of films to Sweden can be made only with the permission of the Soviet if the films are to be shipped through Petsamo, single "open port" in Northern Europe, it was learned yesterday. It was expected that Soviet permission to ship films to Finland would also be necessary as Petsamo is the only

(Continued on Page 6)

La. Anti-Ascap Law Ruled Out by Court

New Orleans—Louisiana Supreme Court on Monday declared the state's anti-Ascap statute unconstitutional. Law sought to tax those who collected royalties on music at the rate of \$5,000 for each parish (county) in which they operated.

Supreme Court upheld a lower court decision of Judge Robert Rivarde who had turned thumbs down on the state law after an in-

(Continued on Page 4)

Arbitration Changes Get D of J Sanction

Washington Bureau of THE FILM DAILY
Washington—Revisions in rules of arbitration have been approved by the Dept. of Justice, according to Assistant Attorney General Robert Sher. Further conferences on the arbitration budget are scheduled for this week, but aside from that, Sher said, all is in readiness for the hear-

(Continued on Page 5)

Justice Dept. Loses Krieger to the FCC

Special Assistant Attorney General Seymour Krieger, long active in both field work and negotiations which led to settlement of the Government equity suit against five of the major companies, has resigned from the anti-trust division of the D of J. Krieger will join the legal staff connected with the Federal Communications Commission.

Editorial



The American Way



... this, praise God, is America

By CHESTER B. BAHN

ON 7,000 American screens today, the motion picture industry presents a post-election plea for national unity.

Within the next week, the same plea will find a place on virtually all other film theater screens, from the Atlantic to the Pacific, from the Canadian line to the Mexican border.

It is a voluntary and highly patriotic act by an industry that is essentially and typically American.

— o —

ESSENTIALLY American because it is here that the motion picture was cradled and, within the span of a single lifetime, has attained maximum development.

Typically American because, like the nation itself, the motion picture is a product of the magic melting pot.

So it is wholly fitting and highly proper that the industry should be the first to sense the urgent need of the hour and, having sensed it, the first to speedily meet it. Here, indeed, is the American way, once again exemplified.

— o —

AND, as assuredly, it will be further exemplified by the response of those 60 or 80 millions who this week will read these words on the country's 15,000 screens:

"Whatever the differences were among us before election, there should remain no doubt that there are no differences among us today. We must stand as one behind the man of the people's choice. We must not fall prey to the plan of 'divide and conquer.' The Great Liberator has given us our rule of national life—UNITED WE STAND, DIVIDED WE FALL."

This, praise God, is America. And by His grace, it so will remain.

Carman Deal to End Graves Trust Action!

Philadelphia — An anti-trust suit will be ended, a theater will come out of receivership, and a de luxe first-run nabe vaude-picture house will pass into new hands if U. S. District

(Continued on Page 4)

RKO Reports 39-Week Profit of \$317,186

RKO Corp. and subsidiary companies on Monday reported a net profit after all charges of \$317,186.95 for the 39 weeks ended Sept. 28, 1940. Profits before depreciation, taxes

(Continued on Page 5)

Spanish Export Plan Studied Eight Majors May Send Over 80 Features

RKO Dropping Columbus Admission Scales Friday

Columbus, O.—Effective as of Friday RKO announces substantial b.o. reductions. New stage show prices ("George White Scandals") will be on boards of the Palace week of the

(Continued on Page 5)

Plan by which the eight major American distributing companies could export 80 pictures to Spain, on a basis of 10 pix per company, and would be allowed to export X number of dollars from the country is now being studied by the Spanish Government film commission, but a delay is anticipated in any decision

(Continued on Page 6)

Expected to Follow Lead Of Research Council and Call for Neely Enactment

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY
Washington—With the Motion Picture Research Council already highly critical of the proposed consent decree in the New York equity suit, it was learned yesterday that the various women's, religious, fraternal and civic groups which, through "pressure" tactics, have been supporting the Neely bill will hold a conference here to discuss the decree's provisions.

The conferees will undertake to determine whether the decree meets the objectives of the Neely measure, already passed by the Senate but

(Continued on Page 6)

Gould to Act As UA Foreign Dept. Head

Walter Gould has been appointed to act as head of United Artists' foreign department by Murray Silverstone, UA top executive. Thomas P. Mulrooney, foreign sales manager, will continue in that executive capacity under Gould's direction.

(Continued on Page 5)

Para. Execs. Start Trek To Coast for Fall Confab.

Paramount executives start trekking West today and the rest of the week for the annual Fall studio conferences. Sessions this year will be of unusual importance because of

(Continued on Page 6)

Loew's 12-Week Net Runs 75-100% Ahead

For the 12 months which ended Sept. 30, Loew's earned \$475 a share on its common as compared with \$5.50 for the preceding 12-month period, it was reliably reported Monday. Low net profit for the first 12 weeks of the new company year is understood to be running about 75 to 100 per cent ahead.



Vol. 78, No. 90 Wed., Nov. 6, 1940 10 Cents

JOHN W. ALICATE : : : : Publisher

DONALD M. MERSEAU : : : : General Manager

CHESTER B. BAHN : : : : Editor

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FINANCIAL

(QUOTATIONS OF MONDAY, NOV. 4)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	8 3/4	8 1/2	8 3/4	+
Col. Pict. vcs. (2 1/2%)	5 1/2	5 1/2	5 1/2	.....
Columbia Pict. pfd.	.....	.....	.....	.....
Con. Fm. Ind.	.....	.....	.....	.....
Con. Fm. Ind. pfd.	8 3/4	8 3/4	8 3/4	.....
East. Kodak	138	136	138	+ 1
do pfd.	.....	.....	.....	.....
Gen. Th. Eq.	.....	.....	.....	.....
Loew's Inc.	27 3/4	27 1/4	27 1/2	.....
do pfd.	.....	.....	.....	.....
Paramount	9	8 5/8	8 7/8	.....
Para. 1st pfd.	.....	.....	.....	.....
Para. 2nd pfd.	10 1/4	10 1/4	10 1/4	.....
Pathe Film	10 1/8	10 1/8	10 1/2	.....
RKO	2 1/2	2 1/2	2 1/2	+ 3/8
20th Century-Fox	6	6	6	.....
20th Century-Fox pfd.	82	81 1/2	82	+ 1/4
Univ. Pict. pfd.	2 1/2	2 1/2	2 1/2	.....
Warner Bros.	2 1/2	2 1/2	2 1/2	.....
do pfd.	.....	.....	.....	.....

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4	.....
Loew's deb. 3 1/2 1/4	103 3/4 103 3/4
Para. 8 1/2 3/4	.....
Para. Pict. 6 1/2	.....
Para. Pict. cv. 3 1/4 1/4	92 92
Warner Bros. db. 6 1/4 1/2	85 1/2 85 1/2

NEW YORK CURB MARKET

Monogram Pict.	.....
Sonotone Corp.	1 1/4 1 1/4
Technicolor	9 1/2 9 1/2
Trans-Lux	1 1/4 1 1/4
Universal Corp.	3 3/8 3 3/8
Universal Pict.	.....

Charles A. Stone Dead

Troy—Charles A. Stone, director of Pathe Film Corp. is dead here. He is survived by his wife and a son.

Bonded Film Storage Corp.

LOWEST RATES
TWICE A DAY
DELIVERY SERVICE
1600 BROADWAY
N.Y.C.
Circle 6-2081-2-3-4
STORAGE & C. A. PROJECTION ROOM FILM EXCHANGE DISTRIBUTION SERVICE

Allied of New Jersey To Form Southern Unit

A South Jersey unit will be formed by New Jersey Allied at a meeting called for Nov. 18 at the Walt Whitman Hotel in Camden. All independent exhibitors in the area have been invited to attend the luncheon meeting. E. Thornton Kelly, field representative, is organizing the unit. Meeting will be attended by Lee Newbury, president of New Jersey Allied; Harry Loewenstein, secretary, and Ralph Wilkins, regional vice-president.

Meanwhile, the New Jersey unit has scheduled a meeting and beefsteak dinner at the Ritz Restaurant, Passaic, for tomorrow.

White, Alexander Film Exec., Dies at His Desk

Colorado Springs, Colo.—John T. White, 41, treasurer and member of the board of directors of the Alexander Film Co., was fatally stricken by a heart attack at his desk. White had just returned from a strenuous business drive through several Southwestern states.

Ed Foster has been appointed to the post of secretary-treasurer, and Verne Cheever takes White's place on the board.

"Zorro" Leaves His Mark At Roxy—It's a Record

New house record for receipts was set by "The Mark of Zorro" over the week-end at the Roxy, it was stated Monday. Picture, which opened Saturday at the house, outgrossed "Jesse James" and "Alexander" in its first two days. The 20th-Fox film is also running a race with records in its other openings throughout the country.

Para. Trade Screening In Saginaw Tomorrow

Detroit—Paramount Pictures will hold a second upstate trade screening for exhibitors from all parts of the state at the Michigan Theater, Saginaw, tomorrow. Luncheon will be served to exhibitors and families attending at the Bancroft Hotel.

Fox Wisconsin Managers Meet In Wausau Today

Wausau, Wis.—More than 50 managers of Fox Wisconsin Amusement Co. theaters in Wisconsin and upper Michigan will hold their annual Fall meeting here today and tomorrow. Lawrence Beltz, manager of the circuit's Grand, is in charge of local arrangements.

Cox Funeral in Albany

Funeral services for Walter Montgomery Cox, 73, industry veteran and charter member of the Treasurers' Club of America, who died Sunday in New York, will be held in Albany today.

Billboard Restriction Angle In N. Y. Elections

Albany—Almost entirely obscured by the Presidential contest but not overlooked by candidates for the New York State legislature was the attention paid to members of the Senate and Assembly who have voted against restrictions on billboard advertising along highways.

With a great many of the candidates in cities polled by groups asking commitments on billboard advertising, attention was directed to the overwhelming defeat of such legislation in the past two years. For the main part, candidates seeking the support of organized labor did not commit themselves to voting for imposts or abolition, since labor and theaters, among other groups, are opposed to restriction of billboards and in rural territory, small posters.

Court Rules WE Must Stay As "U" Action Defendant

Application of Western Electric Co. to be let out as a defendant in the suit of Samuel Posen against Universal Pictures, its officers and directors and a number of companies, was denied on Monday by New York Supreme Court Justice William Collins. The decision of the Court held that WE was responsible for the acts of Erpi and that if the complaint is proven, Erpi would be subject to the Court's decree. Posen is claiming certain acts of conspiracy allegedly leading to waste and mismanagement.

Registration Statement Of Cinecolor Effective

Washington Bureau of THE FILM DAILY

Washington — SEC Monday declared the registration statement of Cinecolor, Inc., Calif., to be fully effective. It covers 427,000 rights for \$1.50 par common to stockholders at \$1 per share and 71,166 shares unsubscribed through the underwriters at \$1.25.

G. Brashears & Co. are underwriters. Proceeds are to be used for machinery, equipment and working capital.

Sunday Pix for Guardsmen Brings Exhib. Indictments

Hattiesburg, Miss. — Four movie theater managers here considered it all right to open their theaters for the benefit of camp Shelby's National Guardsmen, encamped nearby, but a circuit court jury failed to share their viewpoint and the four have been indicted by this jury on charges of violating Sunday blue laws. Twice during October these managers were arrested and fined on the same charges, but paid off and continued their shows.

Frohman Fractures Hip

Daniel Frohman is hospitalized in Leroy Sanatorium, following a hip fracture sustained in a fall.

COMING and GOING

ROY DISNEY is here from the Coast.
KENNETH MCKENNA, Metro story head, is here from Hollywood for a two-week stay.

MARK HELLINGER and his wife, GLADYS GLAD, have returned to the Coast.

BUDDY DeSYLVA is scheduled to leave for the Coast within two weeks.

EARL CARROLL left for Hollywood over the week-end.

JULIUS EVANS is here from the Coast.

WALTER GOULD arrived here over the week-end from South America.

MILTON BERLE was scheduled to leave for the Coast Monday.

LILLIAN DAY, author, has returned from the Coast where she worked on a screen adaptation of one of her novels at Metro.

GLORIA JEAN arrives here tomorrow from Hollywood to make several p.a.'s.

LOU WEINBERG and VINCENT BORELLI, of Columbia, leave today for Gloversville.

ARTHUR WIMPERIS, English author, has arrived in Hollywood to begin work at the Korda studios where he is under contract.

Col. Shooting the Works On "Arizona" Premiere

Tucson, Ariz.—Columbia will shoot the works for the triple world premiere here of the Wesley Ruggles production, "Arizona" on Nov. 15. Pix will start at the State and Rialto theaters and the Temple of Music and Art.

Full week's program is tied in, including a fiesta, barbecue, dancing in the streets, pageantry, official dinners and parades. Ruggles, Clarence Budington Kelland, author; Jean Arthur, William Holden, Warren William and others will come on from Hollywood for the opening.

Old Tucson, built by Columbia as a background for the pix 14 miles from this city, will hold open house all week as a wide-open frontier town. Papagos Indians will establish a village here for two days. Premiere ball is set for the Santa Rita hotel, Indian reception winds up the program Saturday.

"Escape" Ahead of "Pride"

"Escape" in its first four days at the Radio City Music Hall, topped "Pride and Prejudice" figures for the same period, M-G-M reported Monday.



From
THE FILM
DAILY to
H. M. Wilcox
Tren Carr
Paul Ellis
June Marlowe
Ruth Selwyn

WARNER BROS.
PICTURES, INC.

PICTURES, INC.

321 WEST 44TH STREET

NEW YORK

EXECUTIVE OFFICES

WEST COAST STUDIOS
BURBANK, CAL.

Dear Mr. Exhibitor:

Bette Davis' greatest is THE LETTER. Bette Davis'
greatest is THE LETTER. Bette Davis' greatest is THE LETTER.
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Bette Davis' greatest is THE LETTER.

Sincerely,

Warner Bros.

Sincerely,
Warner Bros.
What more is there to say?

By W. Somerset Maugham, with
HERBERT MARSHALL · JAMES STEPHENSON
FRIEDA WESCOTT · GAIL SOMMERGARD
A WILLIAM WYLER Production

By W. Somerset Maugham, with
HERBERT MARSHALL • JAMES STEPHENSON
 FRIEDA INESCORT • GALE SONDERGAARD
 A WILLIAM WYLER Production
 Screen Play by Howard Koch • Music by Max Steiner

Carman Deal to End Graves Trust Action?

(Continued from Page 1)

Court Judge George Welsh approves a reported deal now being completed, it was indicated here Monday.

Under the rumored agreement, the Carman, operated by George Graves until it went into receivership, will pass into the hands of Jay Emanuel, Frank McNamee, and Iz Rappaport on a 10-year lease. Emanuel has been one of three receivers for the house; Frank McNamee was recently RKO branch head here, while Iz Rappaport operates the Hippodrome, Baltimore. Under the reported arrangement, McNamee will be managing director of the house; Emanuel will book and buy, while Rappaport will handle the stage end. Frank Ackley remains as manager.

If and when the final papers are signed, it will result in the elimination of the law suit filed by Brewster Rhodes on behalf of George Graves, against Stanley-Warner and major distributors, and it will also end the receivership with the lease guaranteeing interest on the current bonds and amortization, etc. Ownership will remain with the original owner, Graves, who has a recapture clause becoming operative on payment of a specified fee, it is understood.

Theater will, no doubt, remain on a vaude-picture policy, with Paramount and 20th Century-Fox productions. Vaudeville bookings will continue to be through the office of Edward Sherman.

Sunday Stage Shows In N. Y. Start at Once

Council of the Actors' Equity yesterday authorized the start of Sunday stage shows in New York at once, and "Tobacco Road" has set its first performance for next Sunday night.

Council imposed but one stipulation—that box office prices should not be increased. Members of the League of New York Theaters also met yesterday to devise a plan for staggering lay-off days so they would not all come on Monday or Tuesday.

Henie Suit Decision Reserved

New York Supreme Court Justice Aron Steuer on Monday reserved decision at the close of trial of the suit of Dennis R. Scanlon against Sonja Henie for \$92,000 damages for alleged commissions due as her agent. Defendant testified that she had earned \$639,895 from 20th-Fox and was to receive \$135,000 more before expiration of her contract.

Luke Farrell's Brother Died

Carbondale, Pa.—James P. Farrell, 80, brother of Luke Farrell, operator of local theaters, died in St. Joseph's Hospital here after several weeks' illness. He also was uncle to Al Farrell of the Comerford booking office.



• • • YES, the Greeks have a word for it.....and that word is "Patriotism".....for witness the dispatch out of Chicago..... which states that Van Nomikos, vice-prxy of Allied Theaters of Illinois.....and also the prexy of Ahepa national Greek organization).....has named James Coston of Warners Theaters, the Skouras Brothers, Alex Manas of the Illinois-Indiana circuit, and Alex Manos of Pittsburgh.....on a committee to secure co-operation and financial help for the Greek nation.....in its fight against the invader..... Other prominent theatermen will be named to the committee, too.....

• • • VORTEX of an otherwise routine Election Day Eve on local Film Row.....was the luncheon in the Hotel Astor's South Ballroom.....under the auspices of the Democratic National Committee's Motion Picture Division.....of which Charles L. O'Reilly is chairman.....Louis Nizer was toastmaster and delivered what this corner holds.....was the grand talk of the occasion.....despite the fact that his oratorical mates included Governor Lehman and Miss Dorothy Thompson.....Dais, in addition to the aforementioned, comprised Postmaster General Frank C. Walker, F.D.R., Jr., Edward J. Flynn, Major Albert Warner.....Barney Balaban, Leo Spitz, David Bernstein, Lawrence "Chip" Robert, Harry Brandt, Clarence Lowe and "Ham" Fisher.

• • • SURE, the hand is often quicker than the eye.....and here's an instance of the cashier being quicker than the customer..... It happened in Harrisburg, Pa.....Mrs. Henrietta Shelley, calmly vending tickets at the Colonial Theater for "Moon Over Burma," was faced.....by a woman customer,—conscious of world affairs,—who demanded:....."Are there many scenes of the Burma Road in the picture?".....To which Mrs. Shelley promptly retorted:....."Yes, and you can read the Burma Shave signs, too!".....

• • • WHEN Walt Disney selected the local Broadway Theater to house "Fantasia".....which opens its New York engagement next Wednesday.....it might have been with the idea in mind of completing a cycle.....since it was at this house (then called the Colony) that Mickey Mouse was introduced to this world in 1929 via "Steamboat Willie".....Incidentally Mickey is the only member of the Disney cartoon characters who has a part in "Fantasia".....

• • • WE have a letter from William F. ("Silent Bill") Haddock.....from his Hotel America bailiwick.....He says that he's been reading quite a bit lately about the Motion Picture Pioneers.....which leads him to ask:....."How far back do those youngsters figure?".....and then adds: "I go back to 1907 when I made talking pictures for the old Kameraphone Co.....The inventor of those early talking pictures is now living in Caldwell, N. J., where he has a large real estate development".....So, a note to House Manager Jack Cohn and his good right arm, Hal Hode:.....How 'bout a couple application blanks to the gents?".....

• • • TOMORROW morning.....this corner'll announce results of a certain election bet.....made 'twixt Emerson Yorke, short subjects producer.....and Alois Havrilla, popular radio and film commentator.....who is currently the announcer on the Mutual network's program, "Double or Nothing".....

« « « » » »

1,000 20th-Fox Com. Disposed of by Kent

Washington Bureau of THE FILM DAILY

Washington—Sidney R. Kent has disposed of 1,000 shares of 20th Century-Fox common no par value and now holds 2,180 shares, the SEC reported today in its semi-monthly summary of security transactions and holdings. Seton Porter disposed of 700 shares and now holds 176, the SEC report states.

The RKO report states that Atlas Corp. now holds 594,318 shares of \$1 par common and an additional 268,230 shares through the American company. Atlas also holds 32,581 shares of RKO's 6 per cent convertible preferred after acquiring 500 shares and holds 327,812 warrants for common. All shares are held as the beneficial owner.

Loew's, Inc., added 309 shares of the \$25 per common stock of Loew's Boston Theaters to its holdings, it is reported. Loew's now holds 117,783 shares of the subsidiary company stock in that class as the beneficial owner.

Report of General Theaters Equipment Corp. states R. B. Larue has acquired 100 shares of capital no par value stock and now holds 600 shares.

Louisiana Anti-Ascap Law Ruled Out by Court

(Continued from Page 1)

dictment has been returned against J. Studebaker Lucas, Ascap counsel in Jefferson Parish.

Judee Rivard found the tax excessive. There are 64 parishes in Louisiana. Strict enforcement might have cost Ascap \$320,000 annually to operate in Louisiana.

"Next Time We Love" Re-issued by Universal

Universal is re-issuing "Next Time We Love," starring Margaret Sullivan, James Stewart and Ray Milland, with national release on Nov. 22. Pix was originally released in 1936.

Bertholon Made Para. Studio Production Mgr.

West Coast Bureau of THE FILM DAILY

Hollywood—George Bertholon has been made studio production manager at Paramount, succeeding R. L. Johnston who resigned.

Tom Killeen's Mother Dead

Carbondale, Pa.—Mrs. Thomas H. Killeen, mother of Thomas V. Killeen, district manager of Comerford Theaters in Wilkes-Barre, Hazleton and Mauch Chunk, died after several months illness. She leaves her husband, three daughters, another son, and a sister.

"Adolescence" on Nov. 29

Select will release George Hirliman's first Florida production, "Adolescence," on Nov. 29.

RKO Reports 39-Week Profit of \$317,186

(Continued from Page 1)

eight) are: weekdays, 30 cents from and provision for dividends accrued during the period on preferred stock of a subsidiary company were \$1-865,142.57. Depreciation and taxes were listed at \$1,328,374.37, while provision for the accrued dividends amount to \$219,581.25.

RKO Dropping Columbus Admission Scales Friday

(Continued from Page 1)

opening until 1 p.m.; 1 to 5 p.m., 40 cents, and after 5 p.m., 60 cents; children 15 cents at all times. Week-end prices will be 40 cents from opening until 2 p.m., 60 cents after. Old prices were: weekdays, 40 cents from opening until 1 p.m.; 1 to 5 p.m., 47 cents, and after 5 p.m., 60 cents; children 25 cents at all times. Week-end prices were 47 cents from opening until 2 p.m., 60 cents after.

Screen policy will have: opening until 1 p.m., 20 cents; 1 to 5 p.m., 33 cents; after 5 p.m., balcony 33 cents, main floor 47 cents; children, 15 cents. Reduction comes with addition of the bargain two hours at opening, previous prices being 33 cents to 5 p.m., 47 cents after with no balcony special at the Palace. Prices same at both Palace and Grand, latter however, has had balcony reduction for sometime.

From all indications admissions at the two Loew's houses, Ohio and Broad, will remain consistent. Currently first-run prices are standardized, Broad having balcony reduction at night to contract price at Grand. Check with indie exhibitors reveal they feel time anything but opportunity for price reductions, consensus being business will pick up anyway with the stimulant supplied by defense program.

Joseph Dondis Dead

Rockland, Me.—Joseph Dondis, 56, owner of the Strand Theater here, died here. Besides owning the Strand, Dondis was in partnership with Blin W. Page of Skowhegan and Ensign Otis of Rockland, in ownership of the State Theater in Calais, the Queen Theater in St. Stephen, N. B., and the Strand Theater in Skowhegan.

Al Weiner Stricken

Detroit—Al Weiner, of the production department of Wilding Picture Productions, died suddenly as the result of a heart attack. Weiner at one time headed Embassy Talking Picture Service.

Ned Brown Opens Office

Hollywood—Ned Brown has opened an office at 8555 Sunset Blvd., and will handle writers and story material. He has made an affiliation with Ruth and Maxwell Alley, Sanford Greenburger, Nannine Joseph and Nancy Park, New York literary agents.

REVIEWS OF NEW FILMS

"The Mark of Zorro"

with Tyrone Power, Linda Darnell, Basil Rathbone

20th-Fox

93 Mins.

COLORFUL AND EXCITING MELODRAMA HAS STRONG GENERAL AUDIENCE APPEAL; SHOULD BE A SOLID B.O. ATTRACTION.

The public wants entertainment and "The Mark Of Zorro" fills the bill with a more than liberal helping. Romance, adventure, a colorful background, a swashbuckling hero and plenty of action are embodied in this re-make of the Douglas Fairbanks hit of some years ago. It is a box office natural. Nothing is lacking in production opulence and technical skill to put the picture way above par on these two counts. And the cast is strong in name value.

Hitting a good pace with the opening scenes, director Rouben Mamoulian has carried the story and players along to a rousing climax without any letup. The action moves smoothly throughout and each scene is nicely pointed. Tyrone Power, in the lead role, acquires himself with honors. The role suited him and he made the most of it. Miss Darnell is a lovely heroine for the story; Basil Rathbone is competently sinister in his characterization of the shrewd bully who dictates the policies of J. Edward Bromberg, political head of the territory, who also contributes a good characterization; and the rest of the cast is above par, with such capable performers as Gale Sondergaard, Montagu Love, Eugene Pallette and Janet Beecher prominent.

Power, one of the best swordsmen in Spain, is summoned to his home in California by his father. He returns to find his father has been deposed as Alcalde by Bromberg and his swordsmen army leader, Rathbone. With the odds heavily in the balance against any uprising because of the trained soldiers at Rathbone's command, Power assumes the role of a foppish dilettante as a cover-up for his masquerade as Zorro, the friend of the people.

His father, Love, is naturally disgusted with him and only Pallette a priest, and Miss Darnell, learn his real identity before he discloses who he is at the end of the picture. Trapped by Bromberg after he kills Rathbone in a duel, Power and Pallette are candidates for a firing squad until he outwits the guard, breaks jail, lets the peons in through the gates and with the help of his father's friends and the peons defeats the soldiers. The climax is rousing and actionful and there is more than enough action through the entire picture. Credit a fine job of photography to Arthur Miller and a nicely geared screenplay to Garrett Ford and Bess Meredith.

CAST: Tyrone Power, Linda Darnell, Basil Rathbone, Gale Sondergaard, Eugene Pallette, J. Edward Bromberg, Montagu Love, Janet Beecher, Robert Lowery, Chris-Pin Martin, George Regas, Belle Mitchell, John Bleifer, Frank Puglia, Eugene Borden, Pedro de Cordoba, Guy D'Enerry.

CREDITS: Produced by 20th-Fox; Director, Rouben Mamoulian; Screenplay, Garrett Ford and Bess Meredith; Based on a story by Johnston McCulley; Cameraman, Arthur Miller; Editor, Robert Bischoff.

DIRECTION, Fine. PHOTOGRAPHY, Excellent.

"Cherokee Strip"

with Richard Dix, Florence Rice, Victor Jory

Paramount

86 Mins.

ENGAGING CAST AND INTERESTING STORY SHOULD PUT THIS ACTION-CRAMMED WESTERN OVER SOLIDLY WITH GENERAL AUDIENCES.

General audiences should thoroughly enjoy this picture. It tells a story of bold men who lived by the speed of their guns in the days when the Cherokee Strip was the abode of outlaws and wanted men. The action is plentiful, the story smoothly threaded together, and an engaging cast puts it over. The title itself suggest action and adventure, and the cast has enough well-known actors to give exhibitors something to sell in the way of "names." The story also presents numerous exploitation possibilities as its background is highly reminiscent of a glamorous and rough era in our history.

Harry Sherman stinted nothing in giving the picture a first class production value. Director Lesley Selander approached his job with a full knowledge of getting the most out of all his action sequences, and he does, at the same time making the characterizations believable. The fast-moving screenplay was written by Norman Houston and Bernard McConville, who also wrote the original story. Some fine photographic work is contributed by Russell Harlan. The outdoor locations are particularly good.

Dix gives a bangup performance as the head of the Lovell clan, with Victor Jory equally good as the head of the Barrett clan, mortal enemies of the Lovells. Miss Rice is adequate and attractive; William Henry is good in a bit; and Andy Clyde, George E. Stone, Morris Ankrum, Charles Trowbridge, Addison Richards and Douglas Fowley lend capable support to the principals.

Dix hangs his shingle in the town of Goliath, Oklahoma, as Marshal. He discovers that Jory and his clan have arrived there also and run the bank, a big saloon and have a hideout in the strip where he suspects they hide cattle that have been rustled. Dix meets Miss Rice and her brother, Henry, and their father, Trowbridge, who has plans to colonize the strip. Several things happen to lead Dix to believe Jory and his clan are robbing banks and selling rustled cattle. Action continues at a fast pace, climaxed by a rousing gun fight that winds up the careers of the Jory clan and the picture.

CAST: Richard Dix, Victor Jory, Florence Rice, William Henry, Andy Clyde, George E. Stone, Morris Ankrum, Charles Trowbridge, Douglas Fowley, Addison Richards, Tom Tyler, William Haade, Ray Teal, Hal Taliaferro, Jack Rockwell.

CREDITS: Producer, Harry Sherman; Director, Lesley Selander; Screenplay, Norman Houston and Bernard McConville; Original Story, Bernard McConville; Cameraman, Russell Harlan; Editor, Sherman A. Rose.

DIRECTION, Expert. PHOTOGRAPHY, Fine.

Election Day Observed

Majority of home offices observed Election Day by remaining closed yesterday. Exceptions were Paramount, Universal and Republic which were open to 1 p.m.

Gould to Act As UA Foreign Dept. Head

(Continued from Page 1)

has been division manager for Latin America. He joined UA in 1926.

Gould returned Sunday from a four-month trip through Argentina, Brazil, Chile, Peru, Colombia, Panama, Mexico and Cuba. He said that there were no import restrictions in Argentina, as had been reported, but said certain precautions were being made to safeguard the currency.

No difficulties are anticipated in regard to the release of "The Great Dictator" in South America where the selling policy will be approximately the same as in the U. S., Gould said. Theater business in the countries he visited is good and theater construction is going ahead on a large scale.

Arbitration Changes Get D of J Sanction

(Continued from Page 1)

ing on Nov. 14 before Federal Judge Henry Goddard.

Reports that independent groups were planning to seek an injunction against the consent decree operation were in circulation in New York Monday. While it appeared improbable that an injunction could be obtained, there were strong indications that a move to delay the finalizing of the decree until January was being launched.

Say La Crosse Co. Sought To Avoid All Competition

Madison, Wis. — Charges by the La Crosse Theaters Co. in its \$1,472,000 anti-trust action against three major distributors and two exhibiting companies that Paramount withheld product from the plaintiff because it wanted to force the La Crosse company to sell its five houses to Paramount, was denied by defense attorneys in U. S. district court here.

Counsel for the defense charged the La Crosse company with doing everything in its power to keep competition out of La Crosse and that as a consequence theatergoers of that city were not given the type of pictures available to citizens of other communities and that the showing of first-runs only two nights a week prevented the distributors from securing the amount of revenue they were entitled to.

Taking of testimony was started Oct. 31 before Federal Judge Patrick T. Stone here and a 12-person jury and it is expected that it will require a week or more before all sides of the case have been presented.

Jack Shear Dies Suddenly

Cleveland—Jack Shear, 61, a shipper for Warner Brothers, died suddenly of a heart attack. Shear was a charter member of Film Exchange Employees B-5.

Spanish Export Market Studied

(Continued from Page 1)

due to a recent change in the commission's personnel, it was learned yesterday.

Foreign departments are fearful that the personnel change in the commission will hold up a decision until next year, and with the season ending in Spain in April when the warm weather sets in a considerable amount of potential revenue would be lost, it was said.

The money exports would be on a basis of X dollars per picture, with the figure to be stipulated under terms of the agreement.

It is understood that Spanish distributors handling product from Republic, Monogram and other companies would also be allowed to import a certain number of pictures from those companies.

Para. Execs. Start Trek To Coast for Fall Confab.

(Continued from Page 1)

the necessity of arranging next season's production schedules to conform with the provisions of the consent decree in the New York equity suit.

President Barney Balaban leaves today by train. Stanton Griffiths leaves tomorrow by plane, while Adolph Zukor goes Friday by train. Neil Agnew, general sales manager, and Russell Holman, Eastern production head, will leave before the end of the week.

Yates Still to Determine Decree's Effect on Rep.

H. J. Yates, CFI prexy, Monday denied a published report that Republic was contemplating any change in distribution policy as a result of the proposed consent decree.

Yates said that he had not yet had time to analyze the decree and, therefore, was not in a position to say whether it would affect Republic operations in any way.

WEDDING BELLS

Chicago — Jack Lieberthal, with Joe Goldberg, Inc., was married Sunday to Cecile Mann.

Gallatin, Tenn. — Hugh Thomas, Jr., operator at the Roxy Theater, was recently married to Sarah Laverne Womack.

Detroit — Frank Gill, film critic of the Detroit Free Press, was married to Sybil Bingay, daughter of Malcolm W. Bingay, editorial director of the paper.

Victoria, B. C. — Ester Corness of the Plaza Theater staff will wed William O'Conner.

Civic Groups to Study Decree Opposition Expected; Neely Bill Held Dead

(Continued from Page 1)

apparently shelved in the House Interstate Commerce Committee.

Research Council Rejects Decree

It is already apparent that the Research Council has determined that the decree falls far short. Commented on the West Coast by Dr. Ray Lyman Wilbur, national president, the decree was made the target here for a blast from the Council's Committee on Legislation, headed by Mrs. Mary T. Bannerman.

Blast says:

"The rosy picture painted in the Government release about the consent decree filed with the Federal District Court of Southern New York on Oct. 29, should not be permitted to side-track support for the Neely Bill, S. 280, to abolish compulsory block-booking and blind-selling of motion pictures. Why?"

"(1) only five of the eight companies sued by the Government in 1938 have accepted this decree. Unless the other three which prefer to stand trial agree by June 1, 1942 to similar terms, the decree so far as it applies to compulsory block-booking and blind-selling will terminate.

"(2) Under a so-called 'escape clause,' if the operations of any competing companies not bound by the decree adversely affect the business of the five consenting companies, these two trade practices may be revived after Sept. 1, 1942.

"(3) The terms of the decree, even while they last, still permit the forcing of pictures in blocks of five—the good pictures carrying the poor ones. Let us continue to work for the Neely bill!"

The groups to confer are virtually certain to follow the Council's lead for Mrs. Bannerman also functions

"Teddy" Will Be Annual Warners Short Release

"Teddy, the Rough Rider," historical featurette, will be made an annual release by Warners. The short was first released last Washington's birthday in 115 theaters, a new high.

A series of test runs on re-release was made on Oct. 27, Theodore Roosevelt's birthday. As a result, the laboratory is putting through a new order of prints to be used for 1941 release.

Defense Program in Canal Zone Bringing Boom Times to Exhibs.; Plan More Houses

Panama City (By Air Mail)—Panama's theaters are experiencing boom times as a result of the vast defense program now being conducted in the Canal Zone and which has brought employment throughout Panama to an all-time high.

Prospects point to sustained favorable conditions over a period of years in view of the fact that the peak of construction on the Canal Zone is believed to be at least two years distant.

There are 32 motion picture theaters now operating in the Republics, total seating capacity is approximately 21,000. Due to the heavy influx of American personnel, a number of new theaters are projected.

as chairman of the National Committee for the Legislation to Abolish Compulsory Block-Booking and Blind-Selling of Motion Pictures.

The Committee is composed of representatives of some 30 national organizations, ranging from the National Congress of Parents and Teachers to the Knights of Columbus and from the WCTU to Associated Church Press.

Slight Chance for Bill

Whether, however, the pressure these organizations can exert will be sufficient to bring House action during the remainder of this session is doubtful. Slimmer still is the prospect of national legislation at the next session. With Sen. Matthew Neely elected Governor of West Virginia, it is felt they may have some difficulty in getting a sponsor who will really press the bill.

Rep. Andrew Edmiston of West Virginia in all likelihood would introduce it as a favor to Neely, but so far Edmiston has shown little or no interest in actually working for film legislation, although he sponsored the companion House bill.

Observers generally feel that the bill would have hardly any chance in the next session, because (1) the House Committee on Foreign and Interstate Commerce conducted such extensive hearings and subsequently refused to report the bill out and (2) the almost unanswerable argument to give decree a chance to ascertain if it will solve the problems complained of in the Neely bill.

Thus, the chances are the Neely bill probably will not be re-introduced at the next session and if it is, will be done primarily as a matter of form with little or no chance of receiving serious attention.

Astor Business Running 33 1/3% Ahead—Savini

Business of Astor Pictures Corp. is running 33 1/3 per cent ahead of the same period last year, according to President Bob Savini. Indications are that the current year will show a 50 per cent increase over 1939. Streamlined versions of past successes have been the backbone of the Astor lineup.

Soviet Can Nix Film Shipments to Sweden

(Continued from Page 1)

avenue of entrance except through Russia itself.

Decision of the Soviet government in this matter was recently transmitted to the Swedish government and subsequently the U. S. was informed. What effect this decision will have, whether or not the Russians will bar certain pictures, withhold permission for shipments or attempt censorship is not known.

All other territory is bottled up by the German army, and in the case of Baltic ports, mine fields, naval warfare and the British Navy stand in the path of any shipping.

Select to Hold Sales Meet in N. Y. or Chi.

Select Attractions, Inc., has completed its exchange setup with 20 branches in key cities. Charles Kranz, president, has returned from a trip through the country during which he installed the offices. These exchanges will be operated and controlled by Select and will handle exclusively the pictures released by the company.

A sales convention will be held in either New York or Chicago within the next two weeks when all branch managers will assemble to learn details of future pictures, first of which is George Hirliman's "Adolescence."

Cities in which exchanges have been established are New York City, New Haven, Cincinnati, Cleveland, Indianapolis, Detroit, Chicago, Minneapolis, Kansas City, Philadelphia, Washington, D. C., New Orleans, Dallas, Los Angeles, Seattle, Salt Lake City, San Francisco, Denver, Pittsburgh and Boston.

High Court Denies Writ In Wagner-Adler Suit

Washington Bureau of THE FILM DAILY

Washington—The U. S. Supreme Court, by denying a petition for a writ of certiorari, refused to review the judgment of the Circuit Court of Appeals to the effect that the Wagner patent No. 2,048,040 is valid and infringed by Adler Sign Letter Co. and Ben Adler Signs, Inc.

By reason of such judgment the Adler companies now stand enjoined from manufacturing and selling, or contributing to the infringing use of, the notched flanged letter silhouette signs hitherto supplied by them. The Wagner patent is owned by Wagner Sign Service, Inc.

STORKS!

St. Louis — Ben J. Robins, UA branch sales manager here, has a new son.

THE BACKLOG OF QUALITY

TODAY—next week—next year—you know you can depend on each Eastman negative film to do its special work surpassingly well. This unvarying reliability—a true backlog of quality—keeps these films strongly entrenched as the favorites of the industry. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

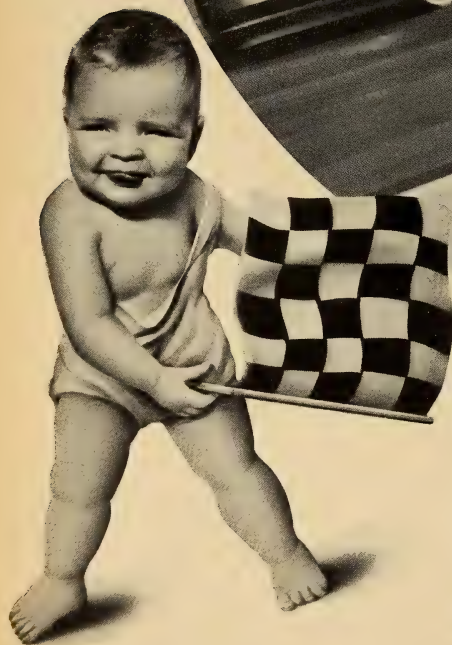
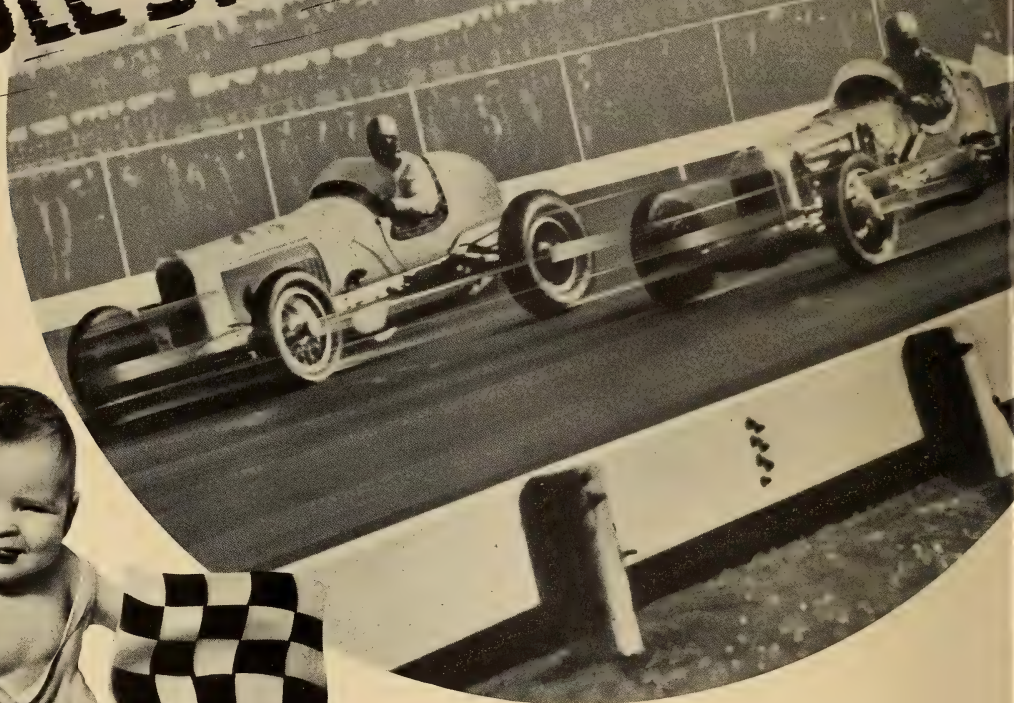
PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

FULL SPEED AHEAD!



That's the watch-word in America today...

Business is humming... the defense program is making new jobs by the thousands... people are working and going back to work...

There's more money in circulation... more people to spend it... they're looking for entertainment... crying for it... begging for it... you have it in the magnificent new pictures which every company in the business has in production or ready for release...

But... you must tell them about it! Lead them your way... Full Speed Ahead with advertising that stops 'em... sells 'em... moves that impulse to buy...

The Prize Baby of the Industry is matching that magnificent product with theatre advertising to sell that product... full speed ahead in all forms of advertising... TRAILERS... LOBBY-DISPLAYS... POSTERS... WINDOW-CARDS... STILLS... BANNERS... CUT-OUTS... everything that helps make good grosses bigger grosses...

*Keep their feet moving your way... cash in on this new spending power... cash in with this new selling-power... cash in with the Three Best Sellers in the Business... **FULL SPEED AHEAD!***

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THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 91

NEW YORK, THURSDAY, NOVEMBER 7, 1940

TEN CENTS

ARBITRATION BUDGET FIXED AT \$490,000

Sunday Pix Make Marked Gains in Pennsylvania

Some 47 Towns Heretofore
Closed Vote in Favor of
Opening in Referendums

Harrisburg, Pa. — Despite a defeat in this city by 17,439 against to 15,574 in favor of Sunday movies, after a hotly contested campaign, proponents of Sunday films made marked gains in Pennsylvania in Tuesday's election, a checkup disclosed last night.

Nearly 50 towns hitherto without

Sunday films were okayed by Smithfield, R. I., voters in Tuesday's referendum, but lost out in Bridgeton, Woodbury and Paulsboro, N. J., complete returns yesterday established.

films, will have them as a result of local referendums. In only six spots
(Continued on Page 10)

Second Gala Debut To Re-Launch GWTW

GWTW will have a second gala premiere to mark the picture's general release. Definite announcement by the distributor of Selznick's pix to that effect is expected this week-end.

Atlanta, scene of the film's first premiere last December, wants to do
(Continued on Page 7)

Review Sought of N. M. Ban Upon Bank Nights

Santa Fe, N. M. — Counsel for J. E. (Ted) Jones, operating the Yucca theater, Roswell, have asked the State Supreme Court to review
(Continued on Page 3)

PASS USED 84 TIMES IN 11 WEEKS

Lowell License Commission Annie Oakley Admitted 160 to
Same Theater in That Period

Lowell, Mass. — So you think you know something about the pass evil, do you?

Well, one pass issued here by the License Commission was used 84 times in 11 weeks and admitted 160 persons to the same theater, according to Harry Sampson, counsel for New England Theaters, Inc.

This explains why Mayor George T. Ashe, acting finally after a flood of exhib. squawks through the years, voided all passes issued by the Commission except those given City

Council members. It also explains why Chairman Thomas B. Delaney asserts his Board will never relinquish any of the legal rights it has been granted—among them the right to issue Annie Oakleys at will.

First conference between exhibs. and the Commission, following the major's action, failed to bring a definite decision. However, it is expected passes will be issued to a list approved by the exhibs. or that theaters—not the Commission—will issue passes to persons suggested by the Commission.

Argentine Producers Spurn 'Co-ordination'

Buenos Aires (By Air Mail) — The Argentine Film Producers Association, in a memorandum to the Argentine Minister of Justice and Public Education Dr. Guillermo Rothe,
(Continued on Page 4)

Butterfield Adds Four Matt Theaters in Flint

Detroit — In one of the biggest theater acquisition deals in several years, in this state, Butterfield Cir-
(Continued on Page 4)

Metro Has 11 Ready For Release to '41

M-G-M has 11 pictures completed for distribution between now and Jan. 1, according to W. F. Rodgers, general sales manager, who has returned from studio confabs. Rod-
(Continued on Page 10)

Sears, Leserman Meeting With WB District Heads

Warners district managers in the U. S. and Canada arrived in New York yesterday for home office con-
(Continued on Page 3)

No MPRC Decree Appearance "Pressure" Groups to Stay Out of Court

Await Navicert Decision On Swss Film Shipments

Film companies here are now waiting for a decision as to whether or not Navicerts will be granted for the shipment of films to Switzerland. It is virtually impossible to ship
(Continued on Page 7)

Washington Bureau of THE FILM DAILY
Washington — The Motion Picture Research Council and other so-called "pressure" groups will not appear before Federal Judge Henry W. Goddard at the consent decree hearing in New York on Nov. 14, THE FILM DAILY learned yesterday.

Although they are opposing the
(Continued on Page 3)

Appeals Board Chairman Will Receive \$20,000; Two Other Members Get \$17,500

First year's budget for the operation of the industry's arbitration system has been set at \$490,000. This was determined at a meeting of industry and Government attorneys on Tuesday in New York. It also was agreed that the chairman of the appeals board would receive a salary of \$20,000 a year, while the other two members of the panel would receive \$17,500 yearly each.

Because the first year of arbitration under the proposed rules will be one of experimentation, the \$490,000 budget may be increased or re-
(Continued on Page 7)

To Drop Individuals In Equity Complaint

Approximately 50 individuals, officers and directors of United Artists, Universal and Columbia, named as defendants in the original equity complaint filed by the Government in its anti-trust action, will be dropped as defendants in the new amended suit, D of J officials revealed yesterday.

The sources stated that the amend-
(Continued on Page 4)

UA Will Ask Dismissal Of Goldwyn Suit Nov. 15

Dismissal of the suit of Sam Goldwyn against United Artists for cancellation of the plaintiff's contract, damages and an accounting,
(Continued on Page 4)

Sez Neil to Frank And Frank to Neil

Neil Agnew long-distanced Y. Frank Freeman at the Paramount studio to report grosses turned in by NWMP in the second week of its advanced admission test runs. Half way through the list, Freeman interrupted.
"I think I heard those figures correctly, Neil," the studio head drawled, "but read them over again and read them slowly. I want to really enjoy them."

War Sharply Trims Bermuda Attendance

Washington Bur., THE FILM DAILY
Washington — Since the outbreak of hostilities in Europe, attendance at theaters in Bermuda has declined approximately 35 per cent, the U. S. Consulate General in Hamilton has reported to the Commerce Department.

Censorship is normal, with newsreels only being strictly censored. The Consulate General estimated approximately 208 features will be shown in Bermuda in 1940, with about 96 per cent of the films shown of American production and the remainder, British.

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FINANCIAL

(Wednesday, Nov. 6)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	8 1/2	8 1/2	8 1/2	— 1/8
Col. Pict. vtc. (2 1/2%)				
Columbia Pict. pfd.				
Con. Fm. Ind. pfd.				
Con. Fm. Ind. pfd.				
East. Kodak	134 1/2	134 1/2	134 1/2	— 1/2
do pfd.				
Gen. Tel. & Tel.				
Loew's, Inc.	27 1/2	26 3/4	26 3/4	— 3/4
do pfd.	106 1/2	106	106	— 1/2
Paramount	9	8 1/2	8 1/2	— 1/4
Paramount 1st pfd.				
Paramount 2nd pfd.	10 1/2	9 7/8	10	— 1/8
Pathe Film	10 1/2	10	10 1/2	— 1/8
RKO	2 1/2	2 1/2	2 1/2	— 1/8
20th Century-Fox	5 1/2	5 1/4	5 1/4	— 1/4
20th Century-Fox pfd.				
Univ. Pict. pfd.				
Warner Bros.	2 1/2	2 1/2	2 1/2	— 1/4
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4	103 1/2	103 1/2	
Loew's deb. 3 1/2% 46	103 1/2	103 1/2	
Para. 8 way 3 1/2	48 1/2	48 1/2	+ 1/8
Para. Pict. 6 1/2	92	92	
Para. Pict. cv. 3 1/2 47 1/2	92	92	
Warner Bros. deb. 6 1/2 86	86	86	+ 1/2

NEW YORK CURB MARKET

Monogram Pict.			
Sonotone Corp.			
Technicolor	9 1/2	9 1/2	9 1/2
Trans-Lux	1 1/2	1 1/2	1 1/2
Universal Corp. vtc.			
Universal Pict.			

Koster Comes for Vacation

Henry Koster arrives in New York this morning by plane to vacation in New York with his wife and child who have preceded him here.

I WANT A LIVE ASSOCIATE

Have a novel motion photo display for Movies, Chain Stores, and National Advertisers. Small investment required. Animated Display Co., 450 4th Ave., N. Y. C. MURRAY HILL 4-6492.

Para. to Release NWMP On Dec. 27, Not Nov. 21

Paramount's "North West Mounted Police" will be released Dec. 27 instead of Thanksgiving Day, according to Neil F. Agnew, general sales manager, who explained that the decision was made because of the large number of requests for pre-release bookings.

Paramount's field force has been advised to make no bookings on NWMP during the period from Dec. 14 to Dec. 25 so that the picture may not suffer in any situation from the usual pre-holiday slump. This arrangement, Agnew said, will give all exhibitors who have booked the picture at advanced prices the protection to which they are entitled.

"North West Mounted Police" opened a four-week engagement at the New York Paramount theater yesterday to business estimated at more than \$10,000, according to Bob Weitman, manager of the house. This is considered exceptional in view of the letdown following the Presidential election on Tuesday.

Picture opens today in Richmond, Va., with Preston Foster appearing in person.

Jumping From 25-50c to 75c-\$1.10 for "Dictator"

Montreal—"The Great Dictator" will be shown at advanced prices when it opens at the Orpheum, here tomorrow. Admission will be 75 cents from the opening until 6 p.m. and \$1.10 after 6 p.m. This includes tax. Regular prices at the Orpheum are 25 cents until 1 p.m., 34 cents from 1 p.m. until 6 p.m., and 50 cents from 6 p.m., amusement tax included.

Filion, Montreal Film Censor, Dies in Office

Montreal—Joseph Philias Filion, 69, City of Montreal motion picture censor, died suddenly yesterday of a heart attack while alone in his office. Filion, an actor, retired from the stage in 1930. He was appointed city motion picture censor in 1930.

Name Rosenberg Chairman Of W. Pa. AMPTO Directors

Pittsburgh—The AMPTO of Western Pennsylvania, Inc., has elected ex-President M. A. Rosenberg as Chairman of the Board of Directors, to succeed Dr. C. E. Herman.

Stein Awaits Clipper

Paul Stein, noted European director, is in Lisbon and ready to leave by clipper for the U. S. where he plans to produce three pictures for release through Select Attractions. Stein tentatively is due to arrive Monday or Tuesday, depending upon his success in obtaining passage. Pictures will be made in Hollywood.

Northwest Allied Board Will Convene Tomorrow

Minneapolis—Northwest Allied's Board of Governors will meet here tomorrow, following a series of district meetings held in Marshall, Wisconsin Rapids and St. Charles.

At the Marshall meeting, attention centered upon the problem of building increased attendance in the face of greater competition from other mediums and the move for advanced admissions for selected pictures. Consensus of exhib. opinion was that a different method of release and protection would have to be granted exhibs. who boost prices.

At Wisconsin Rapids, in addition to the district meeting, there was a joint parley by execs. of both Northwest Allied and Allied of Wisconsin. Purpose of the latter was to devise a plan by which Wisconsin exhibs. who are served out of the Minneapolis exchanges will be enabled to belong to both Allied units.

Western Wisconsin exhibitors have always been in a dilemma on Allied membership by reason of the fact that their film problems center in Minneapolis and their legislative problems in Madison.

Para. Vocational Talks Steal March on Academy

Second in a series of vocational advancement talks to be sponsored by the Paramount Pep Club will be held Tuesday. Paramount has launched these talks on its own, although the Academy of Motion Picture Arts and Sciences is considering a plan whereby vocational advancement courses will be offered to studio employees exclusively, according to Arnes Mengel, chairman of the Pep Club management committee.

Dr. J. S. List, psychologist, is now conducting a series of vocational tests for club members.

Tuesday's speakers are to include William C. Park, who wrote and documented "World in Flames," and Lewis Buddy. Paramount Newsreel director for Europe, who recently returned from the war areas.

"Escape" Leading "Pride" In Biz at the Music Hall

Metro's "Escape" which starts its second week at the Radio City Music Hall today, topped figures of "Pride and Prejudice" there in its first six days, home office reported yesterday. "Pride" went four weeks there. At the United Artists, Detroit, where the pic also starts its second week today, "Escape" out-grossed not only "Pride" but a Thanksgiving engagement of "Ninotchka," Metro also reported.

"Escape" started runs yesterday at the Orpheum, Denver, and the Stanley, Philadelphia, and opens today at Loew's, Canton; Regent, Harrisburg; Colonial, Reading; Palace, Memphis; Loew's, Richmond, and State, Cleveland.

COMING and GOING

NICHOLAS M. SCHENCK has returned from the Coast.

WALTER E. GREEN, National Theater Supply head, left New York yesterday to visit company branches in the Mid-West.

J. A. McCONVILLE, Columbia's foreign manager, accompanied by JACK SEGAL, manager of foreign exchange operations, and CHARLES ROBERTS, home office supervisor for Latin America, are en route from Buenos Aires to Santiago, Chile, on their way back to this country.

DAVID A. LIPTON, of Universal's studio organization, is in the Warwick.

NORMA SHEARER is expected here this week from the Coast.

JEANETTE McDONALD leaves Hollywood today for the first part of an extended concert tour.

PRISCILLA LANE leaves the Coast this week-end from New York.

DOROTHY PETERSON arrives this morning from the Coast via TWA's Stratoliner.

JESSE L. LASKY is due today from the Coast.

LYNN FARNOL flew to the Coast last night.

MURRAY SILVERSTONE goes to the Coast this week-end.

CHARLES SCHWARTZ flies to the Coast today.

ROBERT M. GILLHAM, ad. and pub. director for Paramount, left for Florida yesterday. He was accompanied by ARMANDO.

GEORGE J. SCHAEFER arrived here from the Coast over the week-end and returns to Hollywood the latter part of this week.

PRESTON FOSTER, who has been making p.a.'s with "North West Mounted Police" leaves New York this morning for the Richmond opening.

BOB MOCHRIE, Eastern and Southern division sales manager for RKO Radio Pictures, is visiting exchanges in the South. He is expected back in New York over the week-end.

E. M. LOEW has returned to Boston from Hollywood.

DICK HYLAND and ARTHUR LEONARD of Cinemascope, planned to the Coast yesterday; they return by Monday.

SIDNEY MEYER, general manager of the Wometco Florida circuit, is in New York City on business.

HENRY KOSTER arrives by plane this morning from the Coast.

Union Asks 44-Hour Week In All Cuban Theaters

Havana (By Air Mail)—The Confederation of Workers of Cuba has asked the Secretary of Labor to put into effect the new 44-hour-week law in all theaters here.



WHEN MINUTES MEAN MONEY—TELEGRAPH VIA

Postal Telegraph

CHARGES FOR TELEGRAMS 'PHONED IN APPEAR ON YOUR TELEPHONE BILL.

No Research Council Decree Appearance

(Continued from Page 1)

decree because it permits a continuation of block-booking in modified form and because only five of the majors are parties to it, they do not feel they should become involved in the court proceedings.

The suit is strictly an industry affair, they feel, but are expressing their opinion because it covers to a great extent the same matters involved in the Neely bill, which they will continue to support as the only real "cure."

No brief or statement either will be filed with the Court, it was said.

Sears, Leserman Meeting With WB District Heads

(Continued from Page 1)

ferences with Grad Sears and Carl Leserman. They are:

Robert Smeltzer, Central district with headquarters in Washington, D. C.; Rud Lorenz, Midwest district with headquarters in Chicago; Ed Schnitzer, Eastern district with headquarters in the home office; James Winn, Prairie district with headquarters in Kansas City; Fred Jack, Southern district with headquarters in Dallas; Henry Herbel, West Coast district with headquarters in Los Angeles; and Wolfe Cohen of Canada with headquarters in Toronto.

Ralph McCoy, Atlanta branch manager, is also in for the confabs.

The men return to their respective territories over the week-end.

Poli Ban In Shawano

Milwaukee—Latest Wisconsin city to impose a ban on children attending theaters because of infantile paralysis is Shawano, where the quarantine will remain in effect until Nov. 11, unless new cases develop.

Variety Club for New Haven?

New Haven—Active film exchange men report another attempt will be made this winter to start a Variety Club in this territory. A previous try five years ago was unsuccessful.



● ● ● **COASTING:**.....Ex-exhibitors can be found.....occupying important posts at many of the studios on the Coast.....Universal has several execs.....who got their start in the exhibition field.....Cliff Work and his associates, Maitly Fox and Milton Feld, won their cinema spurs originally.....via piloting theaters.....Burt Kelly, one of the Universal producers, was for several years a booker for Public.....Jack Gross is another "U" producer, long an exhibitor.....

● ● ● **THE story of how Louis B. Mayer transferred.....a run-down Haverhill, Mass., theater into a success.....is well known to picture pioneers.....Louis K. Sidney, one of the newest producers at M-G-M, is a veteran in the theater field.....and handled important Loew houses for several years.....Then, of course, there's Sam Katz.....the Katz of B & K.....the firm which revolutionized exhibiting methods in the Mid-West.....and streamlined showmanship.....**

● ● ● **TURNING toward Paramount.....we find Y. Frank Freeman who started in the deep South and soon became an important factor in the theater field.....'Nother Paramounteer is Harry Sherman who made his amusement field bow.....as an operator of the Park, Minneapolis.....This he followed by purchasing rights to 'The Birth of a Nation'.....for several states West of the Mississippi.....He and his associate, Jack Elliott, paid \$250,000 in cash for said rights.....**

● ● ● **AH, YES.....the Warner Brothers broke into the exhib. pastures.....in the early days of the industry.....Richard A. Rowland, now producing "Cheers For Miss Bishop".....is another exhibition field pioneer.....At one time he headed Metro and was later prey of First National.....Still another producer who was in the theater end.....is Sol Lesser.....whose product is released via UA.....One of Samuel Goldwyn's lieutenants is Reeves Espy, long with Fox West Coast.....**

● ● ● **ONE of the top gents at 20th-Fox is William Koenig who at one time operated theaters in Minnesota and Wisconsin.....And there's Fred S. (20th-Fox) Meyer.....who was an exhib. in Milwaukee.....and for several years MPTOA secretary.....**

● ● ● **LOCALLIGHTS:**.....Probably happier than anyone that the election is over.....is Paramount's Al Wilkie.....Ever since Wendell Wilkie was nominated, Al has been getting calls from friends (?).....who wanted to be appointed everything from Secretary of State to a plum diplomatic post.....Al has been called Wendell on every telephone call.....Even when he went to vote on Tuesday.....the poll officials eyed him with a twinkle.....and made up little quips.....thinking themselves very, very original.....

● ● ● **UH-HUH, we said yesterday that we'd report on that election bet 'twixt Emerson Yorke and Alois Havrilla.....Wager was that if F.D.R. won, Alois would have narrate Yorke's new short, "New England Tour".....and if Wendell Wilkie won, Yorke would pay Alois double his narrating fee.....Mister Havrilla happens to be at work on Mutual's air program, "Double or Nothing".....He doesn't get double from Yorke.....but nothing.....Q.E.D.....**

DATE BOOK

- Nov. 10: Pittsburgh Warner Club dinner-dance, William Penn Hotel.
- Nov. 11: A F of L convention opens, New Orleans.
- Nov. 13: Canadian Picture Pioneers convention, Royal York Hotel, Toronto.
- Nov. 12: Dramatists Guild annual meeting.
- Nov. 14-16: National Board of Review of Motion Pictures annual conference, Hotel Pennsylvania.
- Nov. 15: Cleveland Film Exchange Employees Local 8-5 dance, Moose Temple.
- Nov. 16: Washington Variety Club dinner, Willard Hotel.
- Nov. 16: Boston Motion Picture Salesmen's Club dinner dance, Southland.
- Nov. 17-18: ITO of Arkansas convention, Hotel Marion, Little Rock.
- Nov. 20: Dave Miller testimonial dinner, Hotelenden Hotel, Cleveland, O.
- Nov. 21: Motion Picture Associates ball, Hotel Astor.
- Nov. 23: New York Warner Club dinner-dance, Hotel Commodore.
- Nov. 25-26: ATOI convention, Hotel Antlers, Indianapolis.
- Nov. 29: Chicago Warner Club dinner dance, Terrace Casino, Hotel Morrison.
- Dec. 1-2: MPTO of North and South Carolina convention, Charlotte Hotel, Charlotte.
- Dec. 2: Philadelphia MP Associates dinner, Alisonia Club, Harrisburg.
- Dec. 9: Warner Bros. stockholders' meeting, Wilmington, Del.
- Dec. 12: Philly Variety Club dinner, the Bellevue-Stratford.
- Dec. 13: B & K Employes' Association dinner, dance, Stevens Hotel.

Review Sought of N. M. Ban Upon Bank Nights

(Continued from Page 1)

again its recent decision holding theater Bank Nights to be illegal lotteries.

Jones, in moving for a rehearing, contended that numerous other State Supreme Courts had held that Bank Nights were legal and criticized the New Mexico Court's action in reversing a previous ruling without a unanimous opinion.

Form Chi. MP Bowling League

Chicago—Film row bowlers have organized the Chicago Motion Picture Bowling League with Henry Porter as president, Christ Otto treasurer and Howard DeTamble, secretary. Games have been scheduled for the various teams in the league, up to and including the week of April 16, 1941. Eight alleys will be used.

Lichtman Forms Another

Richmond, Va.—The State Corporation Commission has issued a charter to the High Theater Corporation, Norfolk, with a maximum capital of \$25,000. A. E. Lichtman, of Washington, is listed as president.

Would You Call This Theater Skin Game?

Montgomery, Ala.—Paramount Theater, tying in with a local department store, is giving a \$100 fur coat every Thursday night. At the sixth and last, the give-away will be two fur coats.

"Happy Birthday to You"

From THE FILM DAILY to

Edward Sedgwick
Reinhold Schunzel
Margaret Morris
Alice Day
Mona Maris
Joe Cobb
Herman J. Mankiewicz

Argentine Producers Spurn 'Co-ordination'

(Continued from Page 1)

rejected the plans for "co-ordination" of the Argentine film industry, drawn up by the Instituto Cinematografico Argentino, a semi-official entity under the leadership of Sen. Matias G. Sanchez Sorondo. The memorandum was signed by Julio Joly (E.F.A.), Angel L. Mentasti (Argentina Sono Film), Julio Lofego (Lumiton), Enrique Faustin (Pampafilm).

Harry Aronson Commands Legion's McCauley Post

Boston—The Lieut. Vernon McCauley Post of the American Legion has been officially named as the Motion Picture and Theatrical Post of the Legion in this area. Harry Browning, Frank "Skip" McManus, Thomas Wall and others well known in the local movie colony are among those responsible for its growth and its position as one of the leading Legion posts of the New England states. Harry Aronson, manager of the Rialto theater in Scollay Square, has been elected Commander of the Post.

Ben Cohn Leaves Warners For Geo. Hirliman Post

Ben Cohn of Warner Bros. East Coast publicity department, resigned today, effective Nov. 15, to join George Hirliman as production assistant. His first assignment is a series of three Westerns.

On Albany's Film Row

Albany—Week's contingent of exhibitors visiting film row includes: Sam Milberg, Family, Watervliet; Sam Davis, Phoenixia, Phoenixia; Mitchell Conery, who operates the Conery Cinema; Harry Lamont, running in Greenville, Philmont and Berlin; Barney Pearlman, Binghamton; Dave Rosenbaum, Strand, Ticonderoga, Chris Buckley, General Stark, Bennington, Vt., Walter Wertime, Chester, Chestertown.

B & K Employees at "Dictator"

Chicago—B & K Employees Association will see "The Great Dictator" at the Roosevelt theater tomorrow night. Club's dinner date is set for the Stevens Hotel Dec. 13.

Unlucky In Draft—But Gets Horseshoe

West Coast Bur., THE FILM DAILY

Hollywood—Uncle Sam's Army will have to be patient about Sterling Holloway, movie comedian, reporting for training—for Sterling himself is currently labeled "patient." A horse kicked the film was breaking the actor's leg. His draft number is 192, the second drawn. The horse isn't eligible for the draft, being under 21, so what's he kicking about?

ATAHT in Quadruple South American Opening

Rio de Janeiro (By Air Mail)—South America's first four-theater premiere will take place Nov. 15, with Warners' ATAHT opening in the Odeon and Sao Luiz Theaters in this city and the Kosario and Bandeirantes Theaters in Sao Paulo. The four houses are collaborating on the Brazilian premiere. Day has been officially noted by President Vargas of this country, who will attend the openings with high political and civic officials.

UA Will Ask Dismissal Of Goldwyn Suit Nov. 15

(Continued from Page 1)

will be sought from Federal Judge John W. Clancy on Nov. 15, according to a notice of motion filed in the Federal Court yesterday.

The motion asks for dismissal on the ground that the plaintiffs in filing an amended complaint failed to comply with a recent order of Judge Vincent T. Leibel requiring the complaint to be separately stated and numbered. Alternately, United Artists, demands that Goldwyn serve a new complaint complying with the Court order.

Must Get SAG Consent To Drop Drafted Agent

West Coast Bureau of THE FILM DAILY

Hollywood—When an agent volunteers or is drafted for military service an actor may not discharge the agent without the consent of the Screen Actors' Guild, according to a rule adopted by the Guild's board of directors. It will be the policy of the Guild to refuse such consent unless satisfactory arrangements are made for servicing of the member by another agent without additional charge to the member.

The Guild denied the Artists Managers Guild request that, if an actor enters military service, he must on his return to civilian life extend his contract with the agent by the number of months between the time of his enlistment and the expiration date of his contract, or number of months of his absence from his civilian work whichever applies under these circumstances.

Harry Houdorf Stricken

Wayne, Mich.—Harry Houdorf, 55, manager of the Wayne Theater, died as the result of a heart attack. He was better known in the distribution field, and was head booker for Pathe about 1920, later becoming booker and salesman for Favorite Films, Monogram, Republic, and Monarch Pictures. His widow survives.

21 P.A.'s for Gloria Jean

Gloria Jean, Universal star, will make 21 personal appearances in RKO theaters in the New York area during the next four days. She arrives here today and will leave for Scranton, Pa., her home, on Monday.

"Bagdad" for Christmas

Alexander Korda's "The Thief of Bagdad" will be released nationally during the Christmas holidays, it was announced yesterday by United Artists. Picture is in Technicolor.

Butterfield Adds Four Matt Theaters in Flint

(Continued from Page 1)

cuit takes over four theaters from Lester Matt, independent circuit owner, at Flint. Houses involved are the State, Strand, Roxy, and Della. Deal gives Butterfield eight out of the 20 theaters in Flint.

Election Day B. O. Biz Bad in Albany Sector

Albany, N. Y.—Empty seats greeted the election returns in the theaters of the Albany-Troy-Schenectady belts as pix lost in a landslide to radio election returns. A comprehensive survey among indies and circuits resulted in a unanimous statement of the poorest one-day biz in memory.

In contrast, last night's attendances at the first-runs and downtown theaters were far above the average, especially considering that pictures change in four locations today. Subsequently also reflected the return to normalcy after a month's orgy of dial-twisting.

Piggly Wiggly Stores After Theater Tieups

Chicago—Piggly Wiggly, operators of cash and carry stores, are urged by their headquarters staff, to arrange tieups with theaters for business boosters. They call attention to the successful campaign put over by D. D. Williams, their San Diego operator, who is giving away three autos in a tieup with 12 theaters in that territory.

Phono-Film in San Jose

San Jose, Calif.—First slot machine movie installation in Northern California is reported here. It's Phono-Film and, according to the management of the restaurant which has it, the machine is getting heavy play. Many Oakland and Frisco cafes are said to be slated for installations.

Will Honor John Flynn

Detroit—John E. Flynn, M-G-M manager, is moving his headquarters and residence to Chicago, Dec. 1. Flynn, who was first Chief Barker of Detroit Club, will be honored at a testimonial banquet given by the Club; tentative date is Nov. 25.

Joins Birdwell Staff Here

Ethel Butterworth joins the New York office of Russell Birdwell and Associates under Myer Beck as magazine rep.

To Drop Individuals In Equity Complaint

(Continued from Page 1)

ed complaint will name the eight major companies and their subsidiary organizations, but will list no individuals.

Government attorneys feel that it is unnecessary to bring charges against officers and directors of the three companies, pointing out that a Court decree would have to be complied with by the companies with the alternative that company officials would be subjected to contempt proceedings. Suit insofar as the five negotiating companies are concerned will be disposed of if Federal Judge Henry W. Goddard approves the decree. The original complaint charged individuals along with the companies with conspiring to create a monopoly in violation of the Sherman Anti-Trust Act.

Settlement Worries Small Exhibits, Declares Morse

Boston—Charles Morse, of Morse & Rothenberg, asserts that small theaters throughout this territory are disturbed and disheartened over the apparent settlement out of court of the New York equity suit against the "Big Five." "Small exhibitors are undoubtedly hurt greatly," said Morse, "and there is not one who does not wish that the case might have come to trial since we feel that we might have won a great victory for independent exhibitors everywhere."

Gilson Hurt In Crash

Charles E. Gilson, March Of Time cameraman, was critically injured in an automobile accident in New Hampshire, it was learned yesterday. He is in the Portsmouth (N. H.) Hospital, with full extent of his injuries still undetermined.

Mrs. Minnie Miller Dead

Detroit—Mrs. Minnie Miller died here following an operation. She was the mother of Mrs. Frank Drew, wife of the manager of M-G-M exchange at Cleveland, and of Miss Rosalind Owen of PRC office here.

Jack Benny's Father Ill

Chicago—Meyer Kubelsky, father of Jack Benny, is seriously ill at the Embassy Hotel. Benny is here.

RCA "Fantasound" Named for "Fantasia"

What RCA terms its revolutionary new "Fantasound," third-dimensional system designed by company engineers, derives its name from the fact that it was developed for use in connection with Walt Disney's equally revolutionary new film, "Fantasia." RCA sources assert they expect that within a few years all leading theaters, in order to show this new form of screen entertainment which Disney has pioneered, will have to be equipped with this new type of sound equipment.





TECHNICOLOR

gave it brilliance!

NOEL COWARD

gave it song and story!

ZIEGFELD

gave it Broadway production!

M-G-M

gave it box-office immortality!



Jeanette
MacDONALD

Nelson EDDY

in NOEL COWARD'S

Bitter Sweet

PHOTOGRAPHED IN TECHNICOLOR

with

GEORGE SANDERS

IAN HUNTER

FELIX BRESSART

Original Play, Music and Lyrics
by Noel Coward • Screen Play
by Lesser Samuels • A Metro-
Goldwyn-Mayer Picture • Di-
rected by W.S.VANDYKE II
Produced by VICTOR SAVILLE

Arbitration Budget Fixed at \$490,000

(Continued from Page 1)

duced in succeeding years, depending upon the cost of operation.

The American Arbitration Association officials stated yesterday that the arbitration system will probably be set in operation within 30 days from the date of approval of the proposed consent decree by the Court. These officials said that the Association, through its previous experiences in organizing nation-wide industry arbitration machinery, expected clear sailing in the creation of the motion picture system.

J. Noble Braden, executive secretary of the Association, will tour the country immediately following confirmation of the decree to organize offices in 33 exchange centers. As part of the work of the Association, Braden will select clerical staffs and arbitrators in each district and choose office locations.

Await Navicert Decision On Swiss Film Shipments

(Continued from Page 1)

films to any place in Europe now without such permission.

The British Embassy held up permits for shipments of films to southwestern Europe for several weeks, indicating that Great Britain was aware of the newest axis war move in Greece some time before the actual blow was struck, it was learned yesterday.

All transshipments of films from England to southwestern Europe and direct shipments from that country have also been held up for some time, it was said.

Skouras Trial Again Over

Trial of the Federal action against George Skouras Theaters Corp., Ktima Corp., and Harvey B. Newins, was ordered adjourned to Nov. 20 by Federal Judge Samuel J. Mandelbaum yesterday.

WEDDING BELLS

Canaan, Conn.—Anthony Boscardine, operator of the Colonial, announces the marriage of his daughter, Jean, cashier at the theater, to Lawrence Stone.

Fort Worth—Marydeene Mahaney, cashier at the Majestic Theater, and Dick Gustin of Shreveport, La., will be married here Saturday.

Grand Rapids, Mich.—Warren Wardwell, manager of Keith's Butterfield house here, is a father for the first time. It's an 8-pound boy.

Arlington, Va.—W. Lee Johnson, manager, Ashton, has a new son.

REVIEWS OF NEW FILMS

★ SHORTS ★

Metro "The Homeless Flea" 8 mins.

Amusing Cartoon
The short introduces a young flea, wandering in search of a home. Noting a sign on a gate to "beware of the dog," he immediately enters and looks up what he thinks will be his future home. All the flea's plans go to naught, however, when the dog finally catches him and throws him out. Reel has lots of laughs.

Metro "Quick'n A Wink" 9 mins.

Excellent
Of interest to everybody is a new invention shown in this subject, the Stroboscopic camera which films anything at incredible speed. A bullet is seen traveling from the muzzle of the gun through the air toward a light bulb which is shattered. A cat is seen lapping milk, with the camera revealing that the cat carries the milk into its mouth on the bottom of its tongue instead of the top side. A number of other equally fascinating shots are offered. The camera's speed and a specially developed lighting process produce super slow motion which should be of invaluable aid to science.

Metro "Gallop'n Gals" 8 mins.

Funny Cartoon
Derby Day, and all the four legged fillies are primping in their stalls for the big race. The girls have the usual catty gossip and their principal worries are about their coiffures and what their friends have been doing. Of course, there is an ugly duckling in the crew, and the aforementioned ugly duckling comes through to win the big race, booting home a lot of laughs in the meantime.

Metro "Utopia Of Death" 10 mins.

Unusual Subject
Strange story of a vanishing race of Indians, the Seri tribe that inhabits Tiburon Island in the gulf of lower Mexico, is related interestingly in this short. Committing racial suicide by preventing the women of the tribe from having any more children, the story of this Indian tribe is indeed unusual. It is said that the tribe was once the most powerful in Northern Mexico and emigrated to this island in the search of a perfect existence, but disillusioned by a lack of change in living and complete monotony, they became a dying race.

Williston In Louisville

Louisville—Dudley Williston, Indianapolis, operator of Negro theaters in Indiana and Kentucky, has acquired the Dixie, dark for several months.

★ FOREIGN ★

"Two Women"

(French dialogue, English titles)

Paragon Pictures 105 Mins.
NEW YORK TIMES: Picture is a funny and dismal affair.
HERALD TRIBUNE: An interesting French film, if not one of great stature.

DAILY NEWS: Fine dramatic film.
CREDITS: Producer, E. Zama; Director, Leonid Moguy. **PLAYERS:** Pierre Blanchard, Annie Ducaux, Blanchette Brunoy.

Film Library to Present Series of Griffith Films

The Museum of Modern Art Film Library will present a series of D. W. Griffith films covering the years from 1907 to 1924, commencing next Tuesday. The programs follow:

Nov. 12 and 13—"Rescued From an Eagle's Nest" (1907); "At the Crossroads of Life" (1908); "Edgar Allan Poe," "A Drunkard's Reformation," "Resurrection" and "The Lonely Villa." The last four were produced in 1909.
Nov. 14—"1776, or The Hessian Renegades" and "A Corner in Wheat" (1909); "The Unchanging Sea" (1910); "The Lonedale Operator" and "Enoch Arden" (1911); "The Musketeers of Pig Alley" (1912).
Nov. 15—"The New York Hat" (1912); "Judith of Bethulia" (1913); "Home, Sweet Home" (1914).
Nov. 16—"The Birth of a Nation" (1915).
Nov. 17—"Intolerance" (1916).
Nov. 18—"Hearts of the World" (1918).
Nov. 19—"Broken Blossoms" (1919).
Nov. 20—"Way Down East" (1920).

1,400,000 Saw Television At the Two World's Fairs

More than 1,400,000 saw the RCA television demonstrations at the New York and the San Francisco World's Fairs during the 1940 season, RCA officials announced yesterday.

At the Metro Studios

West Coast Bureau of THE FILM DAILY
Hollywood—Metro has assigned Dalton Trumbo to prepare the scenario of "Some Day I'll Find You," which Pandro S. Berman will produce. Studio cast Eve Arden for the role that Rita Johnson vacated in "Ziegfeld Girl." Rose Hobart has also been assigned to the cast.

WB Options Mary Astor

West Coast Bureau of THE FILM DAILY
Hollywood—Warner Bros. has signed Mary Astor to play the second feminine lead in "Far Horizon" and has taken an option on her services for other pictures. "Far Horizon" starring Bette Davis, is now before the cameras.

"U" Starts "Who's Crazy Now"

West Coast Bureau of THE FILM DAILY
Hollywood—"Who's Crazy Now" has gone before the cameras on the Universal lot with Lewis Howard, Shemp Howard, Anne Nagel, Jeanne Kelly, Kathryn Adams, E. Edward Gargan and Richard Lane in the cast.

Second Gala Debut To Re-Launch GWTW

(Continued from Page 1)

it all over again, making the new opening a first anniversary premiere. Suggestion from Mayor William B. Hartsfield and an Atlanta committee called William R. Ferguson of Howard Dietz's department there last week-end.

But Atlanta faces competition. Charleston, Savannah, Augusta and Richmond, among others, are bidding for the second premiere. If Atlanta wins out, it will be the first time in film history that a picture has returned to a city 12 months after its original presentation for an anniversary premiere.

Parker Assumes Gamble's Duties in Oregon Chain

Portland, Ore.—J. J. Parker is personally taking over the general management of his circuit upon the departure of Ted Gamble. Grover F. Hadley becomes assistant general manager. Calvin Heilig joins the organization in charge of road shows. William Fitzharry returns as booker for the circuit.

McDonald on "Arkansas Judge"

West Coast Bureau of THE FILM DAILY
Hollywood—Frank McDonald has been assigned to direct "Arkansas Judge," a Republic picture which will star the Weaver Brothers and Elvira. The picture is in preparation at this time with production set to get under way about December 1.

The screenplay is from "False Witness," a story by Irving Stone. Armand Schaefer is in charge of production.

Ind. Towns Nix Ops Pay Rise

Chicago—Theaters in Hammond, East Chicago, Indiana Harbor and Whiting, Indiana, have turned down the operators' request for a wage increase and vacation with pay. Another meeting will be held next week.

8 Shooting at Warners

West Coast Bureau of THE FILM DAILY
Hollywood—With eight pictures in production, Warners studios are nearing the peak of winter activity. Twelve stars and 28 featured players are currently before the cameras.

Hilton Novel to Metro

Metro has purchased "Random Harvest," newest James Hilton novel, which is scheduled for publication in the Spring.

Films Licking Legit

Detroit—Faced with competition from three legit. houses at one time—the first time in a decade—exhibitors locally will get relief Saturday when the Shubert-operated Wilson is slated to close due to poor business under the musical show policy. Rumors of a second closing were in the air, but unconfirmed.

The Film Daily's Calendar

A list of English-speaking features released since July 5, 1940, by companies. Arranged by date of FILM DAILY review. Names are the principal players in the cast. Complete casts and production credits on page 10.

COLUMBIA

West of Abilene, 58 mins.....10-21-40
FD: 7-17-40. Charles Starrett, Marjorie Cooley, Don Beddoe

Fugitive From a Prison Camp, 59 mins.
9-5-40
FD: 8-6-40. Jack Holt, Marian Marsh, Phillip Terry

The Fight For Life, 69 mins.....9-5-40
FD: 3-18-40. Myron McCormick, Storrs Haynes

He Stayed For Breakfast, 89 mins..8-22-40
FD: 8-12-40. Loretta Young, Melvyn Douglas, Una O'Connor

Secret Seven, The, 62 mins.....8-8-40
FD: 8-15-40. Bruce Bennett, Florence Rice, Barton MacLane

Durango Kid, The, 60 mins.....8-15-40
FD: 8-23-40. Charles Starrett, Luana Walters, Kenneth MacDonald

Howards of Virginia, The, 122 mins..8-29-40
FD: 9-3-40. Cary Grant, Martha Scott, Sir Cedric Hardwicke

Thundering Frontier, 57 mins.....12-5-40
FD: 9-16-40. Charles Starrett, Iris Meredith

I Married Adventure, 78 mins.....7-24-40
FD: 9-25-40. Mr. and Mrs. Martin Johnson

Before I Hang, 71 mins.....9-17-40
FD: 10-4-40. Boris Karloff, Evelyn Keyes, Bruce Bennett

Blondie Has Servant Trouble, 70 mins.
7-25-40
FD: 10-9-40. Penny Singleton, Arthur Lake, Larry Sims

So You Won't Talk, 69 mins.....10-3-40
FD: 10-17-40. Joe E. Brown, Frances Robinson, Tom Dugan

M-G-M

Andy Hardy Meets Debutante, 86 mins.
7-5-40
FD: 7-2-40. Mickey Rooney, Judy Garland, Lewis Stone

Pride and Prejudice, 157½ mins.....8-2-40
FD: 7-9-40. Greer Garson, Laurence Olivier, Mary Boland

We Who Are Young, 79 mins.....7-19-40
FD: 7-16-40. Lana Turner, John Shelton, Gene Lockhart

Sporting Blood, 82 mins.....7-12-40
FD: 7-24-40. Robert Young, Maureen O'Sullivan

Boom Town, 116 mins.....8-30-40
FD: 8-6-40. Clark Gable, Spencer Tracy, Claudette Colbert, Hedy Lamarr

I Love You Again, 99 mins.....8-9-40
FD: 8-40. William Powell, Myrna Loy, Frank McHugh

Gold Rush Maisie, 82 mins.....7-26-40
FD: 9-6-40. Ann Southern, Lee Bowman, Slim Summerville

Wyoming, 89 mins.....9-13-40
FD: 9-10-40. Wallace Beery, Leo Carrillo, Ann Rutherford

Dr. Kildare Goes Home, 78 mins.....9-6-40
FD: 9-11-40. Lionel Barrymore, Lew Ayres, Laraine Day

Strike Up the Band, 120 mins.....9-20-40
FD: 9-17-40. Mickey Rooney, Judy Garland, Paul Whiteman

Dulcy, 64 mins.....10-4-40
FD: 10-3-40. Ann Southern, Ian Hunter, koiana Young

Third Finger, Left Hand, 60 mins.10-11-40
DR: 10-11-40. Myrna Loy, Melvyn Douglas, Lee Bowman

Escape, 104 mins.....11-1-40
FD: 10-31-40. Norma Shearer, Robert Taylor, Conrad Veidt, Nazimova

Haiabao, 77 mins.....10-25-40
FD: 10-29-40. Frank Morgan, Virginia Grey, Dan Dailey, Jr.

Haunted Honeymoon, 83 mins.....9-20-40
FD: 11-1-40. Robert Montgomery, Constance Cummings, Leslie Banks

MISCELLANEOUS

After Mein Kampf—? (Crystal Pictures), 69 mins.
FD: 9-20-40. Semi-factual British production

Time in the Sun (World Pictures), 55 mins.
9-30-40
FD: 10-8-40. Historical-social document of Mexico

Mozart (Mozart Film Co.), 76 mins.....
FD: 10-8-40. Stephen Haggard, Victoria Hopper, John Loder

Here Is Ireland (Irish-American Film Corp.), 11 mins.
FD: 10-9-40. Travelogue in color

Torso Murder Mystery (Arthur Ziehm, Inc.), 70 mins.....10-23-40
FD: 10-25-40. Bruce Cabot, Tamar Desni

Face at the Window, The (Arthur Ziehm, Inc.), 65 mins.....10-23-40
FD: 10-25-40. Tod Slaughter, Marjorie Taylor

Let George Do It (Film Alliance of U. S.), 73 mins.....8-31-40
FD: 10-25-40. George Formby, Phyllis Calvert

Mercy Plane (Producers Distrib. Corp.), 72 mins.....
FD: 10-31-40. James Dunn, Frances Gifford

MONOGRAM

Boys of the City, 63 mins.....7-15-40
FD: 7-22-40. Bobby Jordan, Leo Gorcey, Dave O'Brien

Haunted House, The, 70 mins.....7-22-40
FD: 7-23-40. Jackie Moran, Marcia Mae Jones, Gene Cleveland

Laughing at Danger, 63 mins.....8-12-40
FD: 8-20-40. Frankie Darro, Joy Hodges, Mantan Moreland

Doomed to Die, 67 mins.....8-12-40
FD: 9-3-40. Boris Karloff, Grant Withers, Marjorie Reynolds

Who Is Guilty?, 69 mins.....9-2-40
FD: 9-6-40. Ben Lyon, Syd Walker, Terence de Marney

Range Busters, The, 53 mins.....8-22-40
FD: 9-9-40. Ray Corrigan, John King, Max Terhune

That Gang of Mine, 62 mins.....9-23-40
FD: 10-3-40. East Side Kids, Joyce Bryant

Drums of the Desert, 64 mins.....10-7-40
FD: 10-9-40. Ralph Byrd, Lorna Gray, Mantan Moreland

Little Miss Molly, 64 mins.....10-7-40
FD: 10-10-40. Maureen O'Hara, Binkie Stuart, Tom Burke

Trailing Double Trouble, 56 mins.....
FD: 10-15-40. Ray Corrigan, John King, Max Terhune

Old Swimmin' Hole, The, 75 mins..10-14-40
FD: 10-23-40. Jackie Moran, Marcia Mae Jones, Leatrice Joy

Ape, The, 62 mins.....9-30-40
FD: 10-25-40. Boris Karloff, Maris Wrixon

Arizona Frontier, 60 mins.....8-19-40
FD: 10-28-40. Tex Ritter, Slim Andrews, Frank LaRue

PARAMOUNT

Way of All Flesh, 86 mins.....7-5-40
FD: 6-11-40. Akim Tamiroff, Gladys George, Wm. Henry, Muriel Angelus

Ghost Breakers, The, 82 mins.....6-21-40
FD: 6-13-40. Bob Hope, Paulette Goddard, Richard Carlson

Untamed, 83 mins.....7-26-40
FD: 7-2-40. Ray Milland, Patricia Morison, Akim Tamiroff

Queen of the Mob, 61 mins.....6-28-40
FD: 7-3-40. Ralph Bellamy, Blanche Yurka, J. Carol Naish, Jean Cagney

Stagecoach War, 63 mins.....7-12-40
FD: 7-10-40. William Boyd, Russell Hayden, Harvey Stephens

Great McGinty, The, 81 mins.....8-23-40
FD: 7-23-40. Brian Donlevy, Muriel Angelus, Akim Tamiroff

Mystery Sea Raider, 75 mins.....8-9-40
FD: 8-5-40. Carole Landis, Henry Wilcoxon, Onslow Stevens

Golden Gloves, 69 mins.....8-2-40
FD: 8-5-40. Richard Denning, Jean Cagney, J. Carol Naish

Rhythm on the River, 92 mins.....9-6-40
FD: 8-20-40. Bing Crosby, Mary Martin, Oscar Levant

Three Men from Texas, 70 mins..11-15-40
FD: 9-10-40. William Boyd, Russell Hayden, Andy Clyde

Rangers of Fortune, 80 mins.....10-11-40
FD: 9-19-40. Fred MacMurray, Patricia Morison, Albert Dekker

Christmas in July, 70 mins.....10-18-40
FD: 9-20-40. Dick Powell, Ellen Drew, Ernest Truex

Comin' Round the Mountain, 80 mins.
8-16-40
FD: 10-3-40. Bob Burns, Una Merkel, Jerry Colonna

I Want a Divorce, .. mins.....9-20-40
FD: 10-4-40. Joan Blondell, Dick Powell, Gloria Dickson

World in Flames, 60 mins.....10-25-40
FD: 10-14-40. Documentary from newsreel shots

Arise My Love, 113 mins.....11-8-40
FD: 10-17-40. Claudette Colbert Ray Milland, Walter Abel

Quarterback, 74 mins.....10-4-40
FD: 10-17-40. Wayne Morris, Virginia Dale

*Northwest Mounted Police, 125 mins.
11-22-40
FD: 10-22-40. Gary Cooper, Madeleine Carroll, Paulette Goddard

Cherokee Strip, 86 mins.....10-11-40
FD: 11-6-40. Richard Dix, Florence Rice, Victor Jory

PRODUCERS RELEASING CORP.

Hold That Woman, 64 mins.....7-15-40
FD: 7-12-40. James Dunn, Frances Gifford

Marked Men, 65 mins.....8-28-40
FD: 9-23-40. Warren Hull, Isabel Jewell, John D'Isola

Gun Code, 54 mins.....7-29-40
FD: 10-17-40. Tim McCoy, Inna Guest, Alden Chase

RKO RADIO

Millionaires in Prison, 63 mins.....7-12-40
FD: 6-27-40. Lee Tracy, Linda Hayes, Raymond Walburn

Prairie Land, 59 mins.....6-14-40
FD: 6-27-40. George O'Brien, Virginia Vale, Dick Hogan

Cross-Country Romance, 68 mins..7-19-40
FD: 6-28-40. Gene Raymond, Wendy Barrie, Hedda Hopper

Ramparts We Watch, The, 90 mins..8-16-40
FD: 7-24-40. John Adair, John Sommers, Julia Kent

Dr. Christian Meets the Women, 68 mins.
7-5-40
FD: 8-5-40. Jean Hersholt, Dorothy Lovett, Edgar Kennedy

One Crowded Night, 68 mins.....8-9-40
FD: 8-16-40. Billie Seward, William Hade, Charles Lang

Lucky Partners, 102 mins.....8-2-40
FD: 8-19-40. Ronald Colman, Ginger Rogers, Spring Byington

Stage to China, 59 mins.....7-26-40
FD: 8-20-40. George O'Brien, Virginia Vail, Roy Barcroft

Dance, Girl, Dance, 90 mins.....8-23-40
FD: 8-28-40. Maureen O'Hara, Louis Hayward, Lucille Ball

Stranger on the Third Floor, 64 mins.
8-16-40
FD: 9-3-40. Peter Lorre, John McGuire, Margaret Tallichet

Men Against the Sky, 75 mins.....9-6-40
FD: 9-5-40. Richard Dix, Kent Taylor, Wendy Barrie

Dreaming Out Loud, 81 mins.....9-13-40
FD: 9-10-40. Lum 'n' Abner (Chester Lauck, Norris Goff)

I'm Still Alive, 72 mins.....9-27-40
FD: 9-30-40. Kent Taylor, Linda Hayes, Ralph Morgan

Laddie, 70 mins.....10-18-40
FD: 10-3-40. Tim Holt, Virginia Gilmore, Spring Byington

Too Many Girls, 85 mins.....11-1-40
FD: 10-4-40. Lucille Ball, Richard Carlson, Ann Miller

Current Feature Releases

According to date of review. Dates after titles are distributor release dates: FD: indicates date
 Production credits are included with FILM DAILY reviews. *Indicates Technicolor production.

They Knew What They Wanted, 96 mins.
 10-25-40
 FD: 10-9-40. Carole Lombard, Charles
 Laughton, William Gargan
 Mexican Spitfire Out West, 76 mins.
 11-8-40
 FD: 10-9-40. Lupe Velez, Leon Errol
 Triple Justice, 66 mins.....9-20-40
 FD: 10-10-40. George O'Brien, Virginia
 Vale, Harry Woods.

REPUBLIC

Carson City Kid, The, 57 mins.....6-27-40
 FD: 6-19-40. Roy Rogers, George "Gaby"
 Hayes, Bob Steele
 Wagons Westward, 70 mins.....6-19-40
 FD: 6-24-40. Chester Morris, Anita Lou-
 ise, Buck Jones, Ona Munson
 One Man's Law, 57 mins.....6-29-40
 FD: 7-8-40. Don "Red" Barry, Janet
 Waldo, Dub Taylor
 Scatterbrain, 74 mins.....7-20-40
 FD: 7-11-40. Judy Canova, Alan Mow-
 bray, Ruth Donnelly
 Carolina Moon, 65 mins.....6-15-40
 FD: 7-16-40. Gene Autry, Smiley Burn-
 ette, June Storey
 Girl From God's Country, 71 mins...7-30-40
 FD: 7-23-40. Chester Morris, Jane Wyatt,
 Chas. Bickford
 Ranger and the Lady, The, 59 mins.
 7-30-40
 FD: 7-24-40. Roy Rogers, George Hayes,
 Jacqueline Wells
 Sing, Dance, Plenty Hot, 70 mins...8-10-40
 FD: 8-5-40. Ruth Terry, Johnny Downs
 Earl of Puddlostone, 67 mins.....8-31-40
 FD: 8-14-40. James and Lucille Gleason,
 Harry Davenport
 Oklahoma Renegades, 57 mins.....7-30-40
 FD: 8-15-40. Bob Livingstone, Raymond
 Hatton, Duncan Renaldo
 Ride, Tenderfoot, Ride, 65 mins...9-6-40
 FD: 8-19-40. Gene Autry, Smiley Burn-
 ette, June Storey
 Colorado, 57 mins.....9-15-40
 FD: 9-3-40. Roy Rogers, George "Gaby"
 Hayes, Pauline Moore
 Girl from Havana, 69 mins.....9-11-40
 FD: 9-6-40. Dennis O'Keefe, Claire
 Carleton, Victor Jory
 Tulsa Kid, The, 57 mins.....8-16-40
 FD: 9-6-40. Don "Red" Barry, Noah Beery,
 Luana Walters
 Under Texas Skies, 57 mins.....9-27-40
 FD: 9-16-40. Bob Livingstone, Bob Steele,
 Rufe Davis
 Young Bill Hickok, 59 mins.....10-24-40
 FD: 9-27-40. Roy Rogers, George "Gaby"
 Hayes, Jacqueline Wells
 Melody and Moonlight, 72 mins...10-11-40
 FD: 10-3-40. Johnny Downs, Barbara Al-
 len (Vera Vague)
 Frontier Vengeance, 57 mins.....10-10-40
 FD: 10-7-40. Don "Red" Barry, Betty
 Moran
 Hit Parade of 1941, The, 86 mins...10-15-40
 FD: 10-15-40. Kenny Baker, Frances
 Langford, Hugh Herbert

Trail Blazers, The.....11-11-40
 FD: 10-29-40. Robert Livingston, Bob
 Steele, Rufe Davis
 Who Killed Aunt Maggie? 70 mins...11-1-40
 FD: 11-1-40. John Hubbard, Wendy
 Barrie, Edgar Kennedy.

20th CENTURY-FOX

Manhattan Heartbeat, 72 mins...7-12-40
 FD: 6-5-40. Robert Sterling, Virginia Gil-
 more, Joan Davis
 Lucky Cisco Kid, 68 mins.....6-28-40
 FD: 6-28-40. Cesar Romero, Mary Beth
 Hughes, Chris-Pin Martin
 *Maryland, 92 mins.....7-14-40
 FD: 7-2-40. Lynn Brennan, Fay Bain-
 ter, Brenda Joyce, John Payne
 Street of Memories, 71 mins...11-15-40
 FD: 7-2-40. Lynn Roberts, Guy Kibbee,
 John McGuire
 Young People, 78 mins.....8-30-40
 FD: 7-15-40. Shirley Temple, Jack
 Oakie, Charlotte Greenwood
 Man I Married, The, 77 mins...8-2-40
 FD: 7-16-40. Joan Bennett, Francis
 Lederer, Lloyd Nolan
 Charlie Chan at the Wax Museum, 63 mins.
 10-6-40
 FD: 8-1-40. Sidney Toler, Sen Yung, C.
 Henry Gordon
 Pier 13, 66 mins.....8-23-40
 FD: 8-9-40. Lynn Bari, Lloyd Nolan,
 Joan Valerie
 *Return of Frank James, The, 92 mins.
 8-16-40
 FD: 8-12-40. Henry Fonda, Gene Tierney,
 Jackie Cooper, Henry Hull
 Great Profile, The, 82 mins...10-25-40
 FD: 8-20-40. John Barrymore, Gregory
 Ratoff, Mary Beth Hughes
 Brigham Young, 114 mins.....9-27-40
 FD: 8-27-40. Tyrone Power, Linda Darnell,
 Dean Jagger, Brian Donlevy
 Public Deb No. 1, 105 mins.....10-13-40
 FD: 9-18-40. Brenda Joyce, George Mur-
 phy, Charlie Ruggles
 *Down Argentine Way, 94 mins...10-11-40
 FD: 10-4-40. Don Ameche, Betty Grable,
 Carmen Miranda
 Night Train, 90 mins.....10-18-40
 FD: 10-25-40. Margaret Lockwood, Rex
 Harrison
 Gay Caballero, The, 57 mins.....10-4-40
 FD: 10-28-40. Cesar Romero, Sheila Ryan,
 Robert Sterling
 Mark of Zorro, The, 93 mins.....11-8-40
 FD: 11-6-40. Tyrone Power, Linda Dar-
 nell, Basil Rathbone

UNITED ARTISTS

Pastor Hall (Roosevelt), 97 mins...9-13-40
 FD: 8-1-40. Nova Pilbeam, Sir Seymour
 Hicks, Wilfrid Lawson
 Captain Caution, (Roach), 85 mins...8-9-40
 FD: 8-2-40. Victor Mature, Louise Platt,
 Leo Carrillo

Kit Carson (Small), 97 mins.....8-30-40
 FD: 8-27-40. Jon Hall, Lynn Bari, Dana
 Andrews, Ward Bond
 Foreign Correspondent (Wanger), 119 mins.
 8-16-40
 FD: 8-29-40. Joel McCrea, Laraine Day,
 Herbert Marshall
 Westerner, The (Goldwyn), 100 mins.
 9-20-40
 FD: 9-20-40. Gary Cooper, Walter Bren-
 nan, Fred Stone, Doris Davenport
 Long Voyage Home, The, 105 mins...11-22-40
 FD: 10-9-40. John Wayne, Thomas Mit-
 chell, Ian Hunter
 *Thief of Bagdad, The, 106 mins...9-27-40
 FD: 10-15-40. Conrad Veidt, Sabu, June
 Duprez, Rex Ingram
 Great Dictator, The (Chaplin) 129 mins...
 FD: 10-16-40. Charles Chaplin, Pau-
 lette Goddard, Jack Oakie

UNIVERSAL

Private Affairs, 75 mins.....7-5-40
 FD: 6-13-40. Hugh Herbert, Nancy Kelly,
 Roland Young
 Hot Steel, 61 mins.....7-12-40
 FD: 6-26-40. Richard Arlen, Andy Devine,
 Peggy Moran
 You're Not So Tough, 71 mins...7-26-40
 FD: 7-11-40. Nay Grey, Billy Halop,
 Huntz Hall
 Boys From Syracuse, The, 73 mins...8-9-40
 FD: 7-15-40. Allan Jones, Joe Penner,
 Martha Raye
 Fugitive, The, 76 mins.....9-20-40
 FD: 7-25-40. Ralph Richardson, Diana
 Wynyard
 When the Daltons Rode, 80 mins...7-26-40
 FD: 7-29-40. Randolph Scott, Kay Fran-
 cisco, Brian Donlevy
 I'm Nobody's Sweetheart No, 64 mins.
 11-1-40
 FD: 8-6-40. Dennis O'Keefe, Constance
 Moore, Helen Parrish
 Son of Roaring Dan, 63 mins.....7-26-40
 FD: 8-9-40. Johnny Mack Brown, Fuzzy
 Knight, Nell O'Day
 South to Karanga, 59 mins.....8-2-40
 FD: 8-14-40. Charles Bickford, James
 Craig, Luli Deste
 Leather Pushers, The, 64 mins...9-13-40
 FD: 9-5-40. Richard Arlen, Andy Devine
 Hired Wife, 93 mins.....9-13-40
 FD: 9-9-40. Rosalind Russell, Brian
 Aherne, Virginia Bruce, Robert
 Benchley
 Black Diamonds, 69 mins.....7-19-40
 FD: 9-11-40. Richard Arlen, Andy Devine,
 Kathryn Adams
 Margie, 59 mins.....12-6-40
 FD: 9-18-40. Tom Brown, Nan Grey,
 Mischa Auer
 Spring Parade, 89 mins.....9-27-40
 FD: 9-26-40. Deanna Durbin, Robert
 Cummings, Mischa Auer
 Ragtime Cowboy Joe, 58 mins...9-20-40
 FD: 9-30-40. Johnny Mack Brown, Fuzzy
 Knight, Nell O'Day

Diamond Frontier, 71 mins.....10-4-40
 FD: 10-4-40. Victor McLaglen, John
 Loder, Anne Nagel
 Mummy's Hand, The, 67 mins...9-20-40
 FD: 10-4-40. Dick Foran, Peggy Moran,
 Wallace Ford
 Argentine Nights, 74 mins.....9-6-40
 FD: 10-15-40. The Ritz Brothers, The
 Andrews Sisters, Constance Moore
 Little Bit of Heaven, A, 87 mins...10-11-40
 FD: 10-16-40. Gloria Jean, Robert
 Stack, Hugh Herbert
 Meet the Wild Cat, 65 mins.....11-22-40
 FD: 10-28-40. Ralph Bellamy, Margaret
 Lindsay, Joseph Schildkraut
 Slightly Tempted, 60 mins.....10-18-40
 FD: 10-28-40. Hugh Herbert, Peggy
 Moran, Johnny Downs
 One Night in the Tropics, 82 mins...11-15-40
 FD: 11-1-40. Allan Jones, Nancy Kelly,
 Abbott & Costello
 Seven Sinners, 86½ mins.....10-25-40
 FD: 11-4-40. Marlene Dietrich, John
 Wayne, Broderick Crawford

WARNER BROS.

My Love Came Back, 81 mins...7-20-40
 FD: 6-28-40. Olivia de Havilland, Jeffrey
 Lynn, Eddie Albert
 They Drive by Night, 93 mins...8-10-40
 FD: 7-12-40. George Raft, Ann Sheri-
 dan, Ida Lupino, Humphrey Bogart
 Sea Hawk, The, 127 mins.....8-24-40
 FD: 7-23-40. Errol Flynn, Brenda Mar-
 shall, Claude Rains
 Flowing Gold, 82 mins.....8-31-40
 FD: 8-28-40. John Garfield, Frances Far-
 mer, Pat O'Brien
 River's End, 69 mins.....8-10-40
 FD: 8-28-40. Dennis Morgan, George To-
 bias, Elizabeth Earl
 Ladies Must Live, 58 mins...7-27-40
 FD: 9-5-40. Wayne Morris, Priscilla Lane,
 Roscoe Karns
 No Time for Comedy, 93 mins...9-14-40
 FD: 9-9-40. James Stewart, Rosalind Rus-
 sell, Genevieve Tobin
 City for Conquest, 101 mins...9-21-40
 FD: 9-13-40. James Cagney, Ann Sheri-
 dan, Frank Craven
 Money and the Woman, 67 mins...8-17-40
 FD: 9-18-40. Brenda Marshall, Jeffrey
 Lynn, John Littel
 Dispatch from Reuter's, A, 89 mins...10-19-40
 FD: 9-24-40. Edward G. Robinson, Edna
 Best, Eddie Albert
 Knute Rockne—All American, 98 mins.
 10-5-40
 FD: 10-7-40. Pat O'Brien, Gale Page,
 Ronald Reagan, Donald Crisp
 Dispatch from Reuter's, A, 90 mins.
 10-19-40
 FD: 10-21-40. Edward G. Robinson,
 Edna Best, Eddie Albert
 Tugboat Annie Sails Again, 77 mins.
 10-26-40
 FD: 10-29-40. Marjorie Rambeau, Alan
 Hale, Jane Wyman
 East of the River, 73 mins...11-30-40
 FD: 10-31-40. John Garfield, Marjorie
 Rambeau, Brenda Marshall

Metro Has 11 Ready For Release to '41

(Continued from Page 1)

gers said yesterday that some of the 11 pictures were not cut but that he saw enough to convince him of a strong forthcoming program. He was particularly enthusiastic over "The Philadelphia Story."

No attempt will be made to adjust the production and sales programs to conform with the consent decree until the decree is finally approved by the Court, and even then, Rodgers said, there will be no course set until later in the season.

Among other pictures Rodgers saw at the studios were the new Mark Brothers vehicle, Judy Garland's first starring picture, "Comrade X" and "Flight Command."

37 Indie Producers Sign Sound Technicians Pact

West Coast Bureau of THE FILM DAILY
Hollywood—Thirty-seven independent producers have signed minimum pay pacts with Local 695, sound technicians (IATSE). Among important provisions of agreement are a minimum call of one day's pay, a four-man crew on all units and jurisdiction over all sound work.

"Tarzan" Rights to Hoffberg

Hoffberg Productions, Inc., has acquired distribution rights in the upstate New York territory for "Tarzan And The Green Goddess." Oliver Unger, sales manager for Hoffberg, leaves New York next week for an extensive sales trip through the territory. Picture was acquired from Burroughs Tarzan Productions.

Dieterle Buys Benet Work

West Coast Bureau of THE FILM DAILY
Hollywood—William Dieterle has purchased "The Devil and Daniel Webster," by Stephen Vincent Benet, and will produce and direct it as his first picture for RKO release. It will be re-titled.

TO THE COLORS!

West Coast Bureau of THE FILM DAILY
Hollywood—Capt. James Roosevelt leaves today to assume his post as company commander in the 22nd Marine Reserve Battalion at San Diego.

West Coast Bureau of THE FILM DAILY
Hollywood—Darrel Shafer of RKO Radio's studio messenger and mail department, volunteered for radio work in the U. S. Navy and has been sworn in. Phil Silverstein has volunteered for Army service. Frank Whitton, carpenter, leaves Friday for flying duty with the English air force.

Fort Worth—Albert Kane, floor manager at the New Isis Theater for the past seven years, has enlisted in the Navy.

47 Pa. Towns Vote in Sun. Pix Trade, Labor in Favor, Churches Against

(Continued from Page 1)

out of 11 where Sunday films were sanctioned six years ago did the voters elect to close theaters on Sundays. At least 147 municipalities voted on the question. In 94 cases the balloting made no change; in 53 the voters favored opening theaters on Sunday. Of 83 spots which had previously prohibited theaters from opening on Sunday, 47 decided to let them open.

Harrisburg five years ago defeated the Sunday Movie Movement by a vote of two to one, majority being 1,947.

Hazleton, White Haven and West Hazleton, which voted against the measure in 1935, turned in large affirmative majorities as did Conyngham Township, which has no theater at present.

The opponents repeated their victory of five years ago in Kingston by a bigger margin and also won in Shickshinny.

In Lackawanna county, Taylor and Clarks Summit, only two towns voting on the question there, favored the question.

Towns Voting Favorably

Towns which approved Sunday films:

Hazleton, Lockhaven, West Hazleton, Brentwood, Munhall, Troy, Johnstown, Palmerton, Mauch Chunk, Summit Hill, Connellsburg, Brownsville, Marienville, Jenks Township, Taylor, Clarks Summit, Lancaster, Lebanon, Allentown, North Whitehall township, Lehigh County, Coplay, Stoneboro, Bethlehem, Mt. Carmel, New Kensington, North Belle Vernon, Arnold, Prospect Park, Ellwood City, Northumberland, Wilson Borough, Reading, Pennsburg, Narberth, Conshohocken, Pottstown, Jenkintown Borough, Abington township, Abington, Ambler, Jenkintown, Doylestown, Carnegie, Crafton, Springdale, Dubois, Easton, Conyngham, White Haven, Castle, Shannon, Beaver Falls, Lilly,

New Brighton, New Castle, Portage, Turtle Creek, Windber, Ashland, Hallstead, Bryn Athyn, and Glenside.

Towns Voting Against

Towns which rejected Sunday films:

Boyetown, Harrisburg, Westchester, all Chester County Boroughs; Lansdowne, Norristown, Phoenixville, Downingtown, Parkersburg, West Grove, Tarentum, Castle, Bellwood, Bellevue, Kittanning, Leechburg, Hamburg, Tipton, East Greenville, Altoona, Hollidaysburg, Tyrone, Ebensburg, Lehighon, Weatherly, State College, Phillipsburg, Rimersburg, Clarion, Knox, Osceola Mills, Berwick, Catawissa, Shickshinny, Greensboro, Robesonia, Indiana, Homer City, Columbia, Palmyra, Emmaus, Slatington, Williamsport, Catasauqua, Williamsport, Jersey Shore, Stroudsburg, East Stroudsburg, Minersville, Danville, Bangor, Kingston Borough, Northampton, Nazareth, Sunbury, Upper Augusta, Shamokin, Monroe township, Snyder County, Meyersdale, Lewisburg, Emlenton, Greenburg, Mt. Pleasant, Derry, Lathrobe, Ligonier, Vandergrift, Manor, Hellerstown, Kutztown, Boyertown, Tipton, Ephrata, Pottsville, Blairsville, Brackenridge, Brookville, Butler, Clearfield, Curwensville, Derry, Evans City, Houtzdale, Natrona, Natrona Heights, Rochester, Tyrone, Wilkesburg, Zellenople, Harrison Township, Muncy, and Tamaqua.

Voting figures reported:

For: Hazleton, 5,507 to 4,245; Whitehaven, 309 to 206; Conyngham township 268 to 92; West Hazleton, 1,057 to 623; Taylor 2,021 to 812; Clarks Summit 610 to 30.

Against: Shickshinny, 472 to 334; Kingston 3,671 to 3,253.

Under the law the referendum cannot be again submitted until 1945 in towns which voted this year.

Detroit Variety Club Names Howard Barker

Detroit — Detroit Variety Club elected new officers, to take office Jan. 1, as follows:

Chief Barker, John Howard, branch manager, Paramount Pictures; First Assistant Chief Barker, David Idzal, manager of Fox Theater; Second Assistant, William Fleming, manager of Producers' Releasing Corp.; Property Master, David Newman, Pasadena Theater; Dough Guy, John Saxe, treasurer of Monogram Pictures.

Directors: Frank Wettsman and Lou Wisper of Wisper & Wettsman Theaters; Wade Allen, Fine Arts Theater; Frank J. Downey, M-G-M branch manager; Barney Kilbride, circuit owner; and Carl Buermele, general manager of Co-operative Theaters.

Garden, Marion, Acquired As Garbett Circuit's 6th

Des Moines, Ia.—The Garbett Theater Enterprises, Inc., of Des Moines, moved into the Iowa field with purchase of its first house outside of Des Moines and bringing its string of theaters up to six. Purchase, was the Garden theater at Marion, formerly owned by A. J. Diebold of Cedar Rapids.

E. M. Garbett, general manager of the Garbett Enterprises, announced \$20,000 would be spent in completely remodeling the theater and the name of the house would be changed to the Marion theater.

Plans include finishing the balcony, new seats on the main floor, new lights, screen, heating system, an entire new front with a canopy, box office and glass panels. Sound equipment will be re-conditioned.

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD

DIRECTOR Norman Taurag and Scenarist James K. McGuinness have been conferring with Loyola's coach, Marty Brill, for advice on athletic sequences for M-G-M's "Men Of Boys Town." The dialogue between Spencer Tracy and Mickey Rooney deals with a series of football plays.

IN preparation for the filming of "Topper Returns," for Hal Roach, Director Roy Del Ruth is conferring with Dennis O'Keefe and Joan Blondell, who will play leading roles in the picture. Del Ruth had worked out plot details with Victor Mature, but O'Keefe replaces Mature in the leading male role.

WHILE viewing the Jesse L. Lasky-produced play, "Quiet Please," which is highlighted by a seduction scene, James B. Carson, veteran Broadway comedian, commented seduction scenes have always been successful in the theater. "Even in the Garden of Eve," a columnist adds.

PRODUCER-DIRECTOR Albert Rogell has disposed of his rights to the European production, "Fisherman Gregor," to Bud Barsky. Rogell is now considering three western spectacles, scripts for which have been submitted to him by Dunston Steele, western writer.

OUR Passing Show: George J. Schaefer, Jesse L. Lasky, Henry Herzbrun, Edward Ludwig, Thornton Sargeant, Carlisle Jones, Hiram Cooley, Bill Woolfenden, Mr. and Mrs. Michael L. Simmons, Ed Lowery, Jr., Jerry Wald at "Quiet Please."

WESLEY RUGGLES, Columbia producer-director, writes from Buenos Aires that he has conferred with several South American theater chain operators and finds that the Latin countries do not like Hollywood's interpretation of life in South America. They prefer North American action and Western pictures.

ABE ARONSOHN, owner of the "400" and the "Embassy," swankiest night clubs in London, is in town looking for a spot.

HOLLYWOOD premiere tickets for Charlie Chaplin's "The Great Dictator," at the Carthy Circle on Nov. 14, sell for \$5.50, including tax.

ALEX EVELOVE of the Warner Bros. publicity department, has been named as assistant to Bob Taftliner, director of studio publicity. Evelove has been with the studio publicity department for five years, and, for six years previously, served in the New York praisery office.

METRO yesterday named Spencer Tracy for the male lead in "Random Harvest," the new and as yet unannounced novel by James Hilton, author of "Good-bye, Mr. Chips," and "Lost Horizon," which it recently purchased.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 92—First Section

NEW YORK, FRIDAY, NOVEMBER 8, 1940

TEN CENTS

REMOTE CHANCE FOR DECREE INTERVENTION U. S. Pix Replacing French in Quebec's Theaters

Lack of New French Films
Causing Exhibs. to Shift
To Hollywood's Product

By ROY CARMICHAEL
FILM DAILY Staff Correspondent

Montreal—With no new French films coming into Canada, theaters in purely French-speaking districts of Montreal and the province of Quebec are feeling the deprivation. While France Film Co. has a large stock of Parisian imports—enough, if rationed, to last over two years—the absence of new product has resulted in some theaters dropping French pictures, and others which ran them regularly, alternating with Hollywood films.

A late survey disclosed only
(Continued on Page 6)

Jackson Mentioned For Supreme Court

Washington Bureau of THE FILM DAILY
Washington — Attorney General Robert H. Jackson is being mentioned as a possible choice of President Roosevelt for the Supreme Court should Chief Justice Charles E.
(Continued on Page 8)

Hollywood Comedy Cycle Under Way on Broadway

Broadway is in for a cycle of Hollywood comedies on the boards. Three are now definite, and there may be others if producers accept
(Continued on Page 7)

Author of Production Code of Ethics Sees It as Industry's "Minimum of Government"

St. Louis—The Rev. Daniel A. Lord, S. J., author of the industry's Production Code of Ethics, explains in the forthcoming issue of The Queen's Work, national Sodality publication, that "the Code is a minimum of government. It does not lay down Catholic ideals. It lays down principles that should be accepted by any decent man or woman. It did not pretend to present the law of Christ."

Priest then explains that Roman Catholics are obliged to take a slightly different angle when the judge of a motion picture. "The country permits divorce," he writes, "and the film's plot is solved when the heroine divorces her husband and marries the hero. We cannot approve. Nor can we allow our emotions to go along with her."

Play Financing Pact Hitch is Eliminated

Last hitch standing in the way of resumption of film company financing of Broadway production has been eliminated, it was learned yesterday.

Hitch concerned managerial arrangements. Under the amendment to the Dramatists Guild basic agreement as now written, a film company must offer the play to two regular commercial managers satisfactory to the author on reasonable
(Continued on Page 8)

Discuss SPG Contract At Hays Office Parley

Meeting was held yesterday at the Hays office for a discussion of the proposed contract the Screen Publicists Guild is offering to film company home offices. Representatives of the film companies, with the exception of Universal, and their at-
(Continued on Page 8)

Amusement Stocks Gain on Big Board

Amusement stocks generally moved upwards yesterday on the Big Board, registering gains that ranged from 1/4 to 4 1/4 points. Trading was active, only four issues failing to record transactions.

Major factor in the upward movement, which saw gains of one to eight points recorded in non-amusement issues, was the news that a \$15,000,000,000 increase in the U. S. debt limit was to be asked by the Secretary of the Treasury.

However, amusement issues also
(Continued on Page 8)

Shapiro Anti-Trust Suit Hearing Over Three Weeks

Philadelphia — Hearing in the \$225,000 anti-trust suit brought by Rubin Shapiro and the Harbub Amusement Co., operators of the Admiral Theater, against Warners
(Continued on Page 8)

Games Lose Out in Oregon Constitutional Amendment is Defeated

Expect Star Rating Ban Pact to Include Theaters

An agreement whereby the ban on star rating pictures in advertising will be reaffirmed is expected shortly following a meeting yesterday of advertising department executives. Agreement partially depends upon getting the co-operation of the Rivoli
(Continued on Page 6)

Portland, Ore.—Vigorously opposed by the ITO of Oregon, a proposed constitutional amendment which would have legalized Bank Night, Bingo and other games was snowed under at the polls here Tuesday, complete returns yesterday disclosed.

Vote against the initiative measure was approximately 2 to 1. Proponents had made a deliberate
(Continued on Page 7)

Decree Change by Protest Said to be Without a Precedent in History

Possibility of successful intervention by exhibitor interests in the consent decree of the New York equity suit appeared remote yesterday when legal sources pointed out that they knew of no case on record where protests caused a revision of a decree. One of the most extensive drives to change a decree by parties not named in a suit was one involving the meat packing industry about 25 years ago, they said.

Indications are, however, that exhibitor groups are determined to break legal precedents and are hopeful of convincing Federal Judge Henry W. Goddard at Thursday's hearing that the blocks-of-five clause of the decree should be drastically
(Continued on Page 6)

All Greek Theaters Reported as Closed

All theaters in Athens, Greece, have been closed, it was learned yesterday from authoritative sources, and it was indicated that all the houses in the country have been closed. Shutdown was ordered on
(Continued on Page 6)

Para. Theater Executives Open Chi. Meeting Today

Chicago—Paramount theater executives open a two-day meeting here today, after which they will go to Hollywood to join production conferences. The home office is repre-
(Continued on Page 8)

Skourases' Nephew With Greek Legions

Spyros Demetrios Skouras, nephew of Spyros, Charles and George Skouras, is fighting in the front lines in Greece with a Greek division that stemmed the Italian advance, it was learned yesterday. He is the son of the late Demetrios Skouras, and is affiliated with his brother, Thanos Skouras, in the operation of a chain of theaters in Greece.

"Arizona" Will Get Heavy Radio Plugs

Columbia has set radio plugs for "Arizona" via the Kate Smith Hour, Vox Pop, (both CBS) and George Fisher's Hollywood Whispers (Mutual). In addition to the Hour, which will be broadcast Friday from Tucson, Ariz., where the Wesley Ruggles pix bows in, Kate Smith will broadcast five additional programs on the CBS network, at least four emanating from Tucson where she will arrive over the week-end. Vox Pop program also will originate in Tucson Thursday. Fisher is plugging the pix in a series of eight broadcasts.

THE FILM DAILY

Vol. 78, No. 92

First Section

Fri., Nov. 8, 1940

10 Cents

JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSELAU : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Gran 6607. LONDON—Ernest W. Friedman, The Film Renter, 127-133 Wardour St., W. 1. PARIS—Y. A. Harle, La Cinematographie Francaise, 29 Rue Maroulan (12). MEXICO CITY—Marco-Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Thursday, Nov. 7)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	9 1/2	8 3/4	9 1/2	+ 1/2
Col. Pict. vtc. (2 1/2%)	6 1/2	5 1/2	6 1/2	+ 1/2
Columbia Pict. pfd.	20 1/2	20 1/2	20 1/2	+ 1/2
Con. Fm. Ind.	9 1/2	8 5/8	9 1/2	+ 3/4
Con. Fm. Ind. pfd.	9 1/2	8 5/8	9 1/2	+ 3/4
East. Kodak	14 1/2	13 7/8	14 1/2	+ 3/4
do pfd.	11 1/2	11	11 1/2	+ 1/2
Gen. Th. Eq.	11 1/2	11	11 1/2	+ 1/2
Loew's, Inc.	29 3/4	27 1/2	29 1/2	+ 2 3/4
do pfd.	9 3/4	8 3/4	9 3/4	+ 1
Paramount	9 3/4	8 3/4	9 3/4	+ 1
Para. 1st pfd.	9 3/4	8 3/4	9 3/4	+ 1
Para. 2nd pfd.	10 1/2	10 1/4	10 1/4	+ 1/4
Pathe Film	11 1/2	10 1/2	11 1/2	+ 1
RKO	2 1/2	2 1/2	2 1/2	+ 1/2
20th Century-Fox	6 1/2	5 7/8	6 1/2	+ 1/2
20th Century-Fox pfd.	18	18	18	+ 1/2
Univ. Pict. pfd.	83	83	83	+ 1
Warner Bros.	3 1/4	2 3/4	3 1/4	+ 1
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6446				
Loew's deb. 3 1/2% 66	48 1/2	48 1/2	48 1/2	- 3/4
Para. B'way 3 1/2%	92 1/2	92 1/2	92 1/2	
Para. Pict. cv. 3 1/2% 47	92 1/2	92 1/2	92 1/2	
Warner Bros. deb. 6 1/2% 68 1/2	86 1/2	86 1/2	86 1/2	+ 1/2

NEW YORK CURB MARKET

Monogram Pict.				
Radio Keith war.	5-16	1/4	1/4	
Sonotone Corp.				
Technicolor	10	9 3/4	10 1/4	+ 1/2
Trend-Lux				
Universal Corp. vtc.	3 3/4	3 3/4	3 3/4	+ 3/4
Universal Pict.				

Air-Conditioning Equipm't Faces Taxation in Indiana

Fort Wayne, Ind.—All theaters and other places of business having air-conditioning equipment must henceforth be listed for taxation, according to a ruling of the Indiana State Tax Board. The equipment is to be listed at 70 per cent of its cost.

Cuba's President Giving Silver Cup for Best Pix

Havana (By Air Mail)—Antonio Villazon, secretary of the newly organized Federation of Theater, Motion Picture and Radio Writers of Newspapers and Magazines, has announced that the President of Cuba and Col. Jaime Marine, chief of the presidential palace press bureau, have presented to the Federation two silver cups which will be given on Dec. 20 to the producer-distributors of best pictures exhibited in Cuba this year.

The jury on award has been named as follows: Antonio Rodriguez Morey, of the Academia de Artes y Letras; Juan J. Otero for the Lion Club; Juan Costa Marote for the Distributors Association; Fernando Gonzalez, president of the National Union of Exhibitors of Cuba, and five members of the Federation.

Kobak, NBC Vice-Presy, To be Ampa's Speaker

Guest speaker at Ampa's meeting Thursday at the Hotel Edison, will be Edgar Kobak, NBC vice-president, who will discuss "You're in The Show Business, Too." Kobak was for four years vice-president of the Lord & Thomas advertising agency. His talk before the Ampa will be primarily concerned with radio as an exploitation medium for motion pictures. He will be introduced by Mort Blumenstock, Warners Eastern publicity and advertising head.

"Great Dictator" Ahead Of GWTW In Cleveland

Cleveland—"The Great Dictator" which is now playing at Loew's Stillman Theater, is outgrossing GWTW, which played the same theater, according to local Loew officials. Also, because of the continuous policy now in force, as against the reserved seat evening policy of GWTW, the Chaplin picture is playing to more people in its opening week. Prices are the same as with GWTW.

Juve Admish Restriction May Be Lifted In Toledo

Toledo, O.—Rules committee of City Council is considering a repeal of a 1919 ordinance which bars unaccompanied persons under 17 years of age from theaters and dance-halls, because it is considered by juvenile authorities as "obsolete and unenforceable." Measure would be replaced with a new ordinance conforming with other state laws.

Reids In Film Field

Moncton, N. B.—D. S. Reid & Son have entered the production-distribution-equipment field here, servicing New Brunswick, Nova Scotia and Prince Edward Island. The Reids had concentrated on still photography for many years, with studios at St. John and Moncton.

Court Grants Striking Motion in Shulman Suit

New Haven—Motion of Lampert Theater of Windsor, Inc., operator of the Windsor Theater, to strike out the answer of defendant, Joseph F. Shulman, in the corporation's Superior Court action against Vitagraph, Inc., has been granted, although motions to expunge and drop for misjoinder have been denied.

In his memorandum of decision, Judge William H. Comley states that "the procedure and position of Mr. Shulman in this matter are of such uncertain consequence that it would be wise to send the parties back to the beginning for a fresh start."

Shulman has filed a new motion to amend the motion to intervene, showing that he is the owner of and doing business as the Plaza Theater Co., Windsor.

Suit was brought last February asking \$25,000 damages, reformation of the contract, and injunction against Vitagraph restraining performance of its second-run contract with Shulman.

Chicago Censors Rejected Two Films During October

Chicago — The Chicago Censor Board, through Lieut. Harry Costello, reports 562,000 feet of film were inspected during October. Two of 130 films reviewed were rejected, cuts were made in 44 and five were "pinked" for adults only. Number of films submitted for review again has slowed up.

Nine women and one man are now attached to the board, for field checking of the Chicago theaters.

Tarkington \$100,000 Suit Vs. Warners to Trial Jan. 8

Trial of the suit of Booth Tarkington for \$100,000 damages against Warner Bros. Pictures was set yesterday for Jan. 8 in the Federal Court after Warners filed an affidavit. Claim is made that the defendants breached a contract providing for the sale of a number of Tarkington stories by producing "Penrod And His Twin Brother." Warners has counter-claimed for \$35,000, claiming that a number of stories were not subject to sale as being in the public domain.

Chicago Operators Pact Maintains Wage Scale

Chicago—Chicago operators union members yesterday accepted settlement of new wage contract for year. Minor adjustments were made in several theaters, but wage scale remains without change. Vacation demand was not pressed.

500 at Mednikow Farewell

Chicago—Five hundred industry affiliates will attend the farewell dinner for Johnny Mednikow in the Congress Hotel tonight.

COMING and GOING

DAVID O. SELZNICK plans to leave for the Coast this week-end.

H. M. RICHEY leaves this week-end for Dallas and New Orleans.

HAMILTON C. RICKABY, of Simpson, Thach & Bartlett, MRS. RICKABY, and D. T. BURROWS, manager in Peru for Eastman Kodak, sail today on the Santa Elena for South America.

GLENN FARRELL is scheduled to leave for the Coast in a week to 10 days to take a role in a forthcoming Paramount production.

HARRY TUGEND has returned to the Coast after a short stay in New York.

SAM DEMBOW, LEONARD GOLDENSON and BOB WEITMAN are in Chicago. They go to the Coast from there.

JESSE L. LASKY is at the Ambassador.

ARTHUR FREED and JOHN W. CONSIDINE, Metro producers, are en route to Hollywood after New York vacations.

JOSEPH P. KENNEDY was scheduled to leave Washington yesterday for Boston as a part of his vacation.

Halifax Dailies Campaign For Sunday Film Shows

Halifax, N. S.—The Chronicle, morning daily, and the Star, its afternoon edition, have come out flatly in favor of Sunday picture showings in the local theaters. This is the first time a Canadian newspaper has endorsed Sunday theater opening.

Papers point out the men of the Navy, Army and Air Force must be provided with Sunday diversion in warm and comfortable theaters, and not be forced to wander aimlessly on the "cold and cheerless streets."

Campaign is vigorously opposed by the ministerial association, composed of local Protestant pastors.

Exhibs. are taking no part in the wordy battle, but are willing to open their theaters on Sundays as a patriotic gesture.

Two More N. J. Towns Favor Sunday Films, One Against

Two more New Jersey communities have okayed Sunday films, referendum results disclosed yesterday. Westfield passed the Sunday measure, 4,265-3,624, and Livingston, 2,023-265. North Ridgewood, however, rejected Sunday shows for a third time, 4,395-2,925.



From THE FILM DAILY to NOVEMBER 8 Ted Hadley
NOVEMBER 9 Lucille Goldin
Hedy Lamarr
Forrest Halsey
John Miljan
NOVEMBER 10 Edwin H. Walk

WAIT TILL YOU HEAR FROM THE MOB

—when you play

UNIVERSAL'S RIOT ROMANCE

set to music...and comedy...
to make a nation's heart glow
and its feet itch to dance!



Rain didn't stop the crowds at Paterson, N. J. when "One Night in the Tropics" premiered there last week!

ONE NIGHT *in the* TROPICS

starring

ALLAN JONES • NANCY KELLY

Song-Star of "The Boys from Syracuse"

At her loveliest since "Jesse James"

BUD ABBOTT & LOU COSTELLO

Radio Sensations of "I'm a baad boy" fame

ROBERT CUMMINGS

Romantic Hero of "Spring Parade"

with **MARY BOLAND • LEO CARRILLO • WILLIAM FRAWLEY**

PEGGY MORAN • NINA ORLA • RICHARD CARLE

Directed by **A. EDWARD SUTHERLAND**

Associate Producer: **Leonard Spigelgass**

Screenplay by Gertrude Purcell and Charles Grayson

Adapted by Kathryn Scola and Francis Martin from
the novel "Love Insurance" by Earl Derr Biggers

A THRILLING JEROME KERN SCORE:

Hot hit songs: "Farandola," "You and Your Kiss," "Simple
Philosophy," "Your Dream," and "Remind Me."

Topping his "ROBERTA" and "SHOWBOAT"!

At last...the screen presents the
newest comedy sensation of radio
and Broadway...Abbott and
Costello, kings of hilarity!

NATIONAL RELEASE 'NOV. 15'

**SENSATIONAL GALA
WORLD PREMIERE AT
BROADWAY'S GIGANTIC
ROXY THEATRE NEXT
THURSDAY, WITH KAY
AND HIS BAND IN PERSON**

**POSITIVELY LIMITED
TO THE ONE WEEK ONLY!**

**THANKSGIVING WEEK
ATTRACTION ALL OVER
THE NATION!...**





KAY KYSER

IN THE MYSTERY WITH MUSIC

YOU'LL FIND OUT

WITH THOSE THREE BAD-BAD-HUMOR MEN

PETER BORIS BELA
LORRE ★ KARLOFF ★ LUGOSI

HELEN
PARRISH

DENNIS O'KEEFE • ALMA KRUGER
and KAY KYSER'S BAND, featuring

GINNY SIMMS

HARRY BABBITT • ISH KABIBBLE
SULLY MASON AND

"THE COLLEGE OF MUSICAL KNOWLEDGE"

Produced and directed by
DAVID BUTLER

Screen play by James V. Kern



U. S. Pix Replacing French in Quebec

(Continued from Page 1)

Hollywood films being played by Confederation theaters, even in the Chateau, Cartier, Dominion and Maisonneuve, which are in French districts, and no Parisian films were on the programs of the United Amusement Theaters, including the Plaza, and Papineau whose clientele is almost entirely French-Canadian.

In the smaller centers in Quebec province where the population is overwhelmingly French-speaking, Hollywood films are being given alternate runs in many theaters which would prefer to show only French pictures if attractive enough films could be secured. This may have one advantage in helping to spread a knowledge of English in French-speaking districts.

Curiously, British films, although almost spectacularly successful in Montreal, are regarded as "poison" by exhibitors in rural districts, who steadfastly refuse to introduce them to French-speaking audiences.

At the present time, independent theaters in French districts of Montreal, which formerly showed a proportion of Parisian films, but are now showing only American or British pictures or alternating them with French, include the Laval, Electra, Orleans and Lord Nelson.

Montreal theaters which remain faithful to Parisian films and are showing them exclusively include the Cinema de Paris at St. Denis, first-run houses, the Beaubien, Nationale, Arcade, Stella and Rex, the last-named alternating with Hollywood pictures. At the Cinema de Paris, the highest-priced house, which is a small theater on St. Catherine Street West, adjacent to the large first-run houses, Maurice Chevalier in "Pieges" is showing for the third week. Outstanding French films are sometimes run as long as nine weeks there.

Mrs. Thorp, Conference Speaker

Margaret Farrand Thorp, author of "America at the Movies," will be a featured speaker at a session of the annual conference of the National Board of Review of Motion Pictures, which will meet at the Hotel Pennsylvania for three days beginning next Thursday.

TO THE COLORS!

Toledo, O.—Howard Feigley, Jr., manager of the Palace, has gone to Canada to take entrance tests for the Canadian Air Corps.

Lester Cowan, producer, has been called into active service in the Army as of Jan. 1. Cowan, who is a captain in the Signal Corps, will report on that date to the Army Industrial College in Washington.



● ● ● THAT was a rare honor bestowed upon M-G-M's two-reeler "Eyes of the Navy".....Film was the cinematic course.....served at the National Press Club dinner given as a testimonial to Secretary of State Cordell Hull.....This picture deals with training of youth in the Naval air defense arm.....and was produced with the co-operation of the U. S. Navy.....Footage evoked a salvo of applause from hard-shelled Fourth Estate gents present.....who represented just about all the great newspapers of the world.....State Department officials' comments were just as 'thrustastic'.....and many congratulated Admiral Stark.....whose pride in the subject was quite evident.....

● ● ● ALAS!.....for never again will the general public have the opportunity to see the spectacular lightning display.....seen by more than 5,000,000 persons in two seasons of the New York World's Fair.....We refer to G-E's eye-and-ear-filling Steinmetz Hall exhibit.....It was a helluva colossal job to install all the units to put on this lightning show.....and it's a helluva big job to dismantle the affair.....

● ● ● STUFF!.....W. H. Dinsmore informs us that Oct. 21 was a doubly big day for E. O. Shreve, vice-prexy of G-E in charge of apparatus sales.....Sure, he was 'lected prexy of National Electrical Mfgs. Ass'n.....and that same day was his birthday. . . ● Jimmy Savage, veteran B & K publicist, has written a song, titled "Hail to the Chief," in honor of the fifth anniversary of Barney Balaban as Paramount prexy . . . ● Max Tabackman, of the Rivoli, Conn. and Jules Livingston, Alexander Previews' representative, New Haven, were the winners in the New Haven two-day city elimination bridge tourney, and'll compete for the State championship in Waterbury. . . ● Film scouts are reported plenty interested in Marion Powers, singer, who opened at the Famous Door last night.....

● ● ● FROM our Miami Beach "comber":.....Armand G. Denis, film producer, and his wife, the former Leila Roosevelt, have purchased a home on Miami Beach.....and will join the colony of movie folks who dwell there a part of every year.....They plan to bring their four youngsters down immediately.....Mister Denis,—as is the case with many other well-known pic people,—is reported making considerable investment in property in that area.....He's formed a corporation of N. Y. associates.....and leased the Oceanic Villas for 99 years at an annual net rental 'round 28 G's.....

● ● ● THIS corner.....which long has admired Oscar Serlin.....as both a showman and a guy with more courage than Horatius at the Bridge fame.....hereby bestows upon him our famous Order of Applause (with two palms).....It's an appropriate award this day.....because Oscar's "Life With Father" will have rounded-out a full year on Broadway.....with tonight's performance. . . ● Apropos of the legit.....it's a coincidence that Erskine Caldwell's "Tobacco Road" will celebrate two landmarks today.....John Ford who is to direct the film version for 20th-Fox.....goes on location tour in the Tobacco Road country.....the same kind location tour taken by the young artist, David Fredenthal, to produce.....the illustrations for the special edition, the decennial, of the novel.....The illustrated "Tobacco Road" is being published today by Duell, Sloan and Pearce.....the first edition to add an artist's interpretation to an author's, a playwright's.....and now a director's.....

« « « » » »

Little Hope Seen For Intervention

(Continued from Page 1)

revised or substituted with a cancellation arrangement.

Ed Kuykendall, MPTOA president, is slated to appear at the hearing and is due in New York from Columbus, Miss., early next week. Abram F. Myers, Allied general counsel, also is expected to appear at the hearings but it is reported that he will make no direct plea to the judge for re-vamping the provisions. Other associations also will be represented.

All Theaters in Greece Are Reported Closed

(Continued from Page 1)

Tuesday of this week after Italian bombers had instigated raids on civilian areas.

At the same time, the entire theatrical business has been brought to a standstill due to mobilization of all Army classes for immediate service. Step has taken majority of personnel from all branches of the business.

Expect Star Rating Ban Pact to Include Theaters

(Continued from Page 1)

and Globe Theaters in not quoting the newspaper rating by stars in their advertising. These two theaters were not in the original agreement.

Union to Punish Operators Projecting Obscene Films

St. Louis—Officers of Local 143, Operators, have decided to "crack down" on any member who lends any aid in the showing of obscene pix. Top punishment will be expulsion.

Postal inspectors are conducting an investigation in an effort to uncover the top men in what is believed to be a "ring" operating in the Midwest for the trafficking in lewd film. One basement theater was raided here recently. Operator is said to have admitted to the postal inspectors and police that he had built up a library of 107 reels of obscene pictures by making copies of those he received via parcel post and express.

STORKS!

Cleveland—Richard Miller, UA salesman, has a new son. Mrs. Miller is a daughter of M. B. Horwitz, general manager of the Washington Circuit.

Money Games Killed By Oregon's Voters

(Continued from Page 1)

play for theater support by including Bank Night. However, pin games as well as punchboards would have been legalized had the vote been favorable.

Mass. Supreme Judicial Court Finds "Lucky" to be Lottery

Stoneham, Mass. — "Lucky" as played in the Stoneham Theater here has been adjudged a lottery, according to a Massachusetts Supreme Judicial Court decision upholding a fine of \$10 on William McLaughlin, theater owner.

The police made a complaint against the motion picture house last May as a test case.

Hollywood Comedy Cycle Under Way on Broadway

(Continued from Page 1)

some scripts now making the rounds. First of the trio bowed in at the Fulton Theater last night; it's "Beverly Hills," a comedy about Hollywood writers, by Lynn Starling and Howard J. Green, and produced by Laurence Schwab and Otto L. Preminger, the latter directing. Cast, topped by Ilka Chase, Helen Clair and Violet Heming, also has Lea Penman, William J. Kelly, Enid Markey.

Second, the Jesse L. Lasky-Henry Duffy offering, "Quiet Please," by F. Hugh Herbert and Hans Kraly, with Jane Wyatt, Donald Woods, Fred Niblo and Ann Mason featured, follows on its heels at the Guild Theater. Likewise a comedy, it's based on the original story by Ferdinand Reyher, and marks Lasky's first legit. venture in 25 years. Lasky is here from the Coast for the premiere tonight.

Third is Brock Pemberton's production, "Glamour Preferred," by Florence Ryerson and Colin Clements, with Louis Sorin, Flora Campbell, Glen Langan and Robert Craven. Comedy's original title was "Morality Clause."

Posen Moves to Examine Eastman In "U" Action

Application to examine Eastman Kodak Co. before trial was filed yesterday in the New York Supreme Court by Samuel I. Posen, plaintiff in a stockholders suit against Universal Pictures and other defendants. Posen seeks to substantiate a number of charges of waste and mismanagement.

Revival as Added Feature

Grand Rapids, Mich. — Walter J. Norris, manager of Grand Rapids Butterfield houses, has inaugurated Revival Night at the Majestic Theater here. Once a week, patrons attending the 9 p.m. show see a revival as an added attraction.

★ REVIEWS OF THE NEW FILMS ★

"The Golden Fleeing"

with Lew Ayres, Rita Johnson, Lloyd Nolan
Metro 68 Mins.

FAIRLY AMUSING COMEDY HAS A GOOD STORY TWIST AND AN ENGAGING CAST.

General audiences should get a number of laughs from this comedy. At the same time, exhibitors should be able to find plenty of exploitable material to sell it. The cast boasts some well known marquee "names" and the story has a novel plot idea which is exploitable. The cast is engaging, technical aspects of the film are first rate and the story has a nice pace.

Leslie Fenton's directorial job is on the plus side, and the dialogue in the script written by S. J. and Laura Perelman is highly amusing most of the time. One particularly funny situation has Spencer Charters, a small town judge, dismissing all the cases in his court because Nolan is using the jail as a hideout. A number of other situations are also good for lots of laughs.

Lew Ayres performs capably in the lead role as a shy insurance salesman. Rita Johnson and Virginia Grey attractively and ably contribute to the proceedings; and Lloyd Nolan gives the proper amount of menace to his role as a gangster. Leon Erroll and Nat Pendleton are amusing. Marc Lawrence, Ralph Byrd and William Demarest are okay in small roles.

Ayres sells Nolan a \$50,000 life insurance policy only to discover that night after his fiancée, Miss Johnson, has quit her job, and he has gotten a raise, that there is a price of \$25,000 on Nolan's head which is offered by the police dead or alive. From that point on Ayres' protection of his client and some involved financial deals keep things hopping at a lively clip until everything is straightened out.

CAST: Lew Ayres, Rita Johnson, Lloyd Nolan, Virginia Grey, Nat Pendleton, Leon Erroll, Marc Lawrence, George Lessey, Richard Carle, Ralph Byrd, Thurston Hall, James Burke, Spencer Charters, William Demarest.

CREDITS: Producer, Edgar Selwyn; Director, Leslie Fenton; Screenplay, S. J. and Laura Perelman; Based on an original story by Lynn Root, Frank Fenton and John Fante; Cameraman, Leonard Smith; Editor, Conrad A. Nervig.

DIRECTION, Good. PHOTOGRAPHY, Good.

Test Foster for "Skylark"

West Coast Bureau of THE FILM DAILY

Hollywood — Para. is testing Preston Foster for the role of Bill Blake in Samson Raphaelson's "Skylark" which the studio will produce as a stellar vehicle for Claudette Colbert and Ray Milland.

Lee Tracy Trying Out Play

West Coast Bureau of THE FILM DAILY

Hollywood — Lee Tracy is trying out in Santa Barbara a play "Every Man for Himself," by Milton Lazarus. After two weeks in 'Frisco Tracy hopes to present it on Broadway.

"Friendly Neighbors"

with Leon Weaver, Frank Weaver,
June Weaver

Republic 67 Mins.

STRICTLY FOR AUDIENCES THAT APPRECIATE HILLBILLY COMEDY AND MUSIC.

Audiences in outlying districts that appreciate hillbilly histrionics and music will probably be amused with this release, but that is the limitation of its sphere. The story is fanciful. Technically, the picture is okay, the cast is adequate and it keeps moving at a fairly even pace.

Leon Weaver, Frank Weaver, June Weaver and Loretta Weaver are supported by Lois Ransom, John Hartley, Cliff Edwards, Thurston Hall, Al Shean, Spencer Charters, Margaret Seddon, J. Farrell MacDonald and Clarence H. Wilson, all capable performers. Nick Grinde handled the direction, with the screenplay credited to Dorrell and Stuart McGowan.

The Weavers leave their home because of the drought. They fall in with a gang of hoboes who are guided to a certain extent by Hartley. After a brawl with a sheriff they wind up in the deserted town of Williamsville. From there on all holds are allowed as the story runs riot with all the hoboes settling down in the town after they have cleaned it up, and Governor Hall has promised a levee to protect it from flood waters through the machinations of the Weavers.

CAST: Leon Weaver, Frank Weaver, June Weaver, Loretta Weaver, Lois Ransom, Spencer Charters, Cliff Edwards, John Hartley, Al Shean, Thurston Hall, Margaret Seddon, Clarence H. Wilson, J. Farrell MacDonald, Al St. John.

CREDITS: Associate producer, Armand Schaefer; Director, Nick Grinde; Original Screenplay, Dorrell and Stuart McGowan; Cameraman, Ernest Miller; Editor, Charles Craft.

DIRECTION, O. K. PHOTOGRAPHY, O. K.

MBC Asks K. C. Tele Station

Washington Bureau of THE FILM DAILY

Washington — Midland Broadcasting Co., Kansas City, Mo., has filed an application for a new television broadcast station, the FCC announced yesterday. The station is to be operated on 50,000-56,000 kilocycles, power 1,000 watts visual and 500 watts aural, emission A3 and A5. The application calls for the station to be in Class 1.

Coast Wants Phyllis Brooks

Hollywood — David Butler, RKO producer, is seeking Phyllis Brooks, now appearing in the Broadway musical, "Panama Hattie," for one of the leading roles in "Blood Will Tell." She is under contract to RKO.

RKO Casts Anne Shirley

West Coast Bureau of THE FILM DAILY

Hollywood — Anne Shirley is returning to the RKO studios after being away from films for six months for a role in "I Married a Cheat." She has signed a new three-year RKO contract.

★ SHORTS ★

"The Trouble with Husbands"

Paramount 11 mins.

Robert Benchley's first comedy short for Paramount, this is sure-fire as a mirth provoker—just what the doctor ordered in these times of stress and concern.

Benchley is introduced as a lecturer, his subject those little husbandly traits which, all too often, mar the serenity of the domestic scene. The lecture is an illustrated one, of course, with the actor-humorist doubling in brass as the horrid example. Or three of them, being factual about it.

First example is the husband who waits until dinner is on the table to shave and wash up and then complains because the chowder is cold. Second is the good man who points out that it costs money to patronize the delicatessen rather than the grocer, then returns with some \$9 worth of fancy goods but minus the needed half pound of butter. And third is the husband who is "handy about the house" . . . with reverse English.

The footage is laugh-crammed, with Benchley never in better form. Which should be enough for any exhib. or any fan.

Fight In Fla. and Ky. for Right to Build Theaters

Ft. Lauderdale, Fla. — Denied permission to erect a theater building on Las Olas Boulevard, E. R. Bennett has appealed the building inspector's decision to the board of adjustment.

Pineville, Ky. — Suit has been filed here to compel the City Council to act immediately on a proposal to erect a new theater by Don Reda, who has already broken ground. One protest asked that the building permit be denied by the city as a protection to local industry.

At 20th-Fox Studios

West Coast Bureau of THE FILM DAILY

Hollywood — Marc Lawrence and Frank Jenks have been added to the cast of 20th-Fox's "Tall, Dark and Handsome." Marjorie Weaver will have the lead opposite John Hubbard in "Murder Among Friends." Oliver H. P. Garrett has been signed to write the screenplay for "Brooklyn Bridge."

TAC Peace Mobilization

Theater Arts Committee will stage a special Armistice Day meeting for American Peace Mobilization at Mecca Temple Monday night.

Jackson Mentioned For Supreme Court

(Continued from Page 1)

Hughes, who will be 79 in April, elect to retire.

This is one of several changes of direct industry interest reported in prospect as the President re-shapes his Cabinet and ambassadorial roster for his third term.

To succeed Jackson as Attorney General, Francis Biddle is being mentioned, with Thomas Corcoran said the likely choice for Solicitor General.

Retirement from the Cabinet of Frances Perkins as Secretary of Labor is anticipated by Capital observers. There is a strong possibility that Dr. Harry A. Millis of the University of Chicago will be the new NLRB chairman.

Resignation of Joseph P. Kennedy as Ambassador to the Court of St. James would not surprise. He has been mentioned for several other important Government posts, including the chairmanship of the National Defense Commission.

Discuss SPG Contract At Hays Office Parley

(Continued from Page 1)

toynes, huddled with counsel for the Guild. Pat Casey, producers' labor representative, sat in at the meeting.

AudiVision Associated With Luther Reed Co.

AudiVision, Inc., which makes training and merchandising programs, has become associated with Luther Reed, Inc., non-theatrical producers, in the sale and production of commercial pictures. Identity of each company will be maintained, but the facilities of each will be available to the other.

Under the new setup, Sumer Singer becomes manager of the slide film division of AudiVision. G. C. Jones will head the motion picture department. Henry Hobart becomes vice-president of Luther Reed in charge of sales and John Butler, formerly with Paramount, becomes production manager.

Atlas Sues Mexican Firm

Suit for unspecified damages was filed yesterday in the New York Supreme Court by Atlas Film Exchange, Inc., against the Mexican company, German Camus Y Cia. Breach of an alleged contract made in October, 1940, whereby the plaintiff secured the U. S. distribution rights to the film "Cafe Concordia" is charged.

WB Retains Priscilla Lane

Priscilla Lane, now in New York for a P. A. at the Strand Theater, has had her option picked up by Warners. Star's most recent picture was "Four Mothers."

Modernization

Stratford, Conn.—The Stratford Theater modernizes everything. This advertisement states it simply: "The Ramparts We Watch" "Baptism of Fire" Air-Conditioned.

Play Financing Pact Hitch is Eliminated

(Continued from Page 1)

terms, consistent with those prevailing.

Both must decline in writing and the author must waive any objections before the company is to be permitted to choose its own manager or itself act in that capacity, through an employee.

Membership of the Dramatists Guild will consider the amendment at a meeting Tuesday. The Guild's Council already has indicated its approval.

Para. Theater Executives Open Chi. Meeting Today

(Continued from Page 1)

sented by Sam Dembow, Leonard Goldenson and Bob Weitman. Theater associates include M. A. Lightman, Robert O'Donnell, M. J. Mullin, Sam Pinanski, E. J. Hudson, J. J. Fitzgibbons, Ralph Branton and John Balaban.

Home office officials en route to the Coast are Barney Balaban, Stanton Griffiths, Neil Agnew, Russell Holman, Adolph Zukor, Paul Raibourn and Leon Netter. Production plans for the 1941-42 season will be discussed.

On V. C. Nominating Committee

Oklahoma City, Okla.—L. C. Griffith, president of the Griffith Amusement Co. and chief barker of the local Variety Club, has appointed the following directors as a nominating committee: Henry S. Griffing, Oklahoma City attorney, chairman; Sol Davis, co-holder of the Republic franchise here, and Dan James, manager of the Black Hotel.

To Fete Dave Miller Nov. 30

Cleveland—The Dave Miller testimonial dinner celebrating his 20 years with Universal, will be held at the Hollenden Hotel, here, on Nov. 30. All exchanges in Miller's district will participate.

Mary Boland Hurt in Crash

Redlands, Cal.—Mary Boland, veteran screen character actress, is in a local hospital, following serious injuries sustained in an auto crash at Loma Linda.

Marmorino Funeral Held

Rites for Luigi Marmorino, 67, veteran Italian-American playwright and actor, who died Monday, were held yesterday.

Amusement Stocks Gain on Big Board

(Continued from Page 1)

responded to the traders' belief that the national defense program will materially increase company earnings during the months immediately ahead.

Eastman Kodak led the amusement procession, its common closing at 141½ for a gain of 4½ points. Loew's common also went ahead 2½ points to close at 29½, while 20th Century-Fox preferred was up 2½ to close at 18.

On the Curb, fractional gains were recorded by Technicolor, Trans-Lux and Universal Corp. vtc. Single issue to gain on the Bond Market was Warner Bros. dbs. 6848.

Shapiro Anti-Trust Suit Hearing Over Three Weeks

(Continued from Page 1)

and the majors was postponed for three weeks yesterday in Federal Court here, giving further color to recent reports that negotiations, looking to a settlement were under way.

C. Brewster Rhoads, prominent attorney who has represented other local exhibs. in similar actions, has been retained as associate counsel by Shapiro.

New St. Louis Theater Will be 30th for F & M

St. Louis — Negotiations for the erection of a new 1,500-seat film theater at Hampton and Oleatha Aves. in the Southwestern part of the city have been closed by Harry C. Arthur, Jr., for the St. Louis Amusement Co., and Robert Hanna, contractor. New theater will be the thirtieth unit in the Fanchon & Marco fleet.

Actual construction will get under way within the next two weeks and the new house should be ready early next Spring.

Ohio Co-op Set With Six

Cleveland — Milton Al Mooney, head of Co-operative Theaters of Ohio, has closed 1940-41 product deals with Metro, 20th-Fox, Universal, Columbia, UA and Monogram. Deals are pending with Paramount, Vitagraph and Republic.

Price Leases Fla. Casino

Lancaster, O.—F. E. Price, Newark, O., theater owner, has leased the Lido Beach Casino in Sarasota, Fla., for two years, and will have it in operation Dec. 1, with Winston M. Lee as general manager.

Jacobs In Astor Deal

M. M. Jacobs, who is opening a new exchange in the Film Building, Cleveland, O., has closed a deal to distribute Astor's product.

HOLLYWOOD SPEAKING--

By RALPH WILE

HOLLYWOOD

HIS years as a sports cartoonist on the Philadelphia Inquirer enable Director Roy Del Ruth to act as his own production designer. Preparing "Topper Returns" for Hal Roach, Del Ruth is plotting the picture with sketches and has already completed 14 sequences, entailing 86 sketches.

OUR Passing Show: Purnell Pratt, Lou Irwin, Robert Sterling, Sam Frey, Stanley Cortez, Bernard Lubor, Irving Applebaum, Walter Lundin watching Stanford win from U.C.L.A.

POSTPONING his trip down into Mexican waters, Eddie Albert, Warner Bros. star, is clearing up his business before going to New York to appear in a George Abbott show. He has had his schooner yawl, the "Moilie," put into dry-dock until his return to Hollywood next Spring.

IRVING BACON, every comedian's favorite character actor, was spotted into the Harold Lloyd production, "Three Girls And A Gob," at RKO. Bacon, in a dress suit part for the first time in eight years, seldom misses a Lloyd picture. He had a chore in the comedian's last production, "Professor, Beware."

CLAUDE BINYON, Columbia scenarist, has completed an original screen play on an untitled horse racing story and mailed it to Producer-Director Wesley Ruggles in Buenos Aires. The idea was born while Binyon was relating racing experiences to Ruggles several weeks ago.

GEORGE MURPHY goes to New York next month to appear at the Policemen's Charity ball. In addition to screening "Little Nelly Kelly," the M-G-M picture in which he plays a cop, Murphy will put on an exhibition of Irish step dancing.

BOOK publication of "The Lady With Red Hair," is scheduled for simultaneous national release with the Warner picture, Nov. 30. By Palma Wayne, the story ran originally in Liberty. Grosset & Dunlap are the publishers. Miriam Hopkins plays the title role in the film, which was directed by Kurt Bernhardt.

BOB FELLOWS, Warner Bros. associate producer, has returned from a two weeks' vacation in Oregon and is now reading manuscripts. Fellows' previous assignment was "Knute Rockne—All American."

MELVYN DOUGLAS has been signed to a new long-term contract at Metro.

TWENTIETH CENTURY-FOX has signed Charles Grapewin for the role of Jeeter Lester in "Tobacco Road" which John Ford will direct. A company is now on location in Georgia for background scenes.

Building
Remodeling

THE Equipment News DAILY

Equipment
Maintenance

VOL. 78, NO. 92—Second Section

NEW YORK, FRIDAY, NOVEMBER 8, 1940

TEN CENTS

NO SHORTAGE OF EQUIPMENT MATERIALS Sees Larger Stands Using New Sound

PLAIN TALK

... about equipment

By GEORGE H. MORRIS

Equipment Editor, THE FILM DAILY

FEW bits of evidence that exhibitors of all sections are wise-uping up to the decisive value of equipment as a business builder are more eloquent than their progressive realization of the part which TRUE air conditioning plays in gaining box office revenues.

There was a time,—and it isn't so long ago,—that the exhibitor knew very little of the subject of air conditioning. This was not primarily because air conditioning was relatively new. Showmen have a way with them (particularly the happily alert majority) of seizing upon any innovation in order to capitalize upon it.

Nor was the showman's tardiness in familiarizing himself with the benefits of air conditioning necessarily a matter of the once high cost of such units,—for there are many instances of the ability to afford the installation of plants when the will to do so did not manifest itself. In these days when air conditioning has become a commodity, and certainly so in the instance of public buildings and particularly theaters, it is a fact that there is a large bloc of houses yet to avail themselves of this equipment, i.e. TRUE air conditioning equipment.

WHAT then can be the reason for the wing of "exhibitor holdouts." We think it's chiefly because, as air conditioning of theaters advanced, there swept through the nation a lot of promotional "carpetbaggers" who preached such a weird gospel as to what air conditioning really was that theatermen became wound up in a cocoon of confusion. Many trusting show-

(Continued on Page 2)

Third-Dimension System Has Been Developed By RCA Engineering Staff

Within a comparatively short time, all of the bigger movie stands will have to install sound equipment known as "Fantasound" if they expect to play films like Walt Disney's "Fantasia," which will disclose to the trade and public an entirely new type of motion picture sound recording and reproduction, which projects a complete third-dimensional effect of sound and music, RCA engineers assert.

Christened "Fantasound" because, like the picture itself, it represents a

(Continued on Page 6)

Erpi Device Speeds Developing of Film

Development of the Integrating-Sphere Densitometer, an optical instrument which will speed up film developing and finishing as well as increasing the uniformity of the final product, is announced by Erpi.

Dr. W. J. Albersheim, Erpi's mathematical physicist, states that

(Continued on Page 7)

U. S. Air Conditioning Lists New Installations

Minneapolis—Several recent and outstanding installations of heating and air conditioning equipment have

(Continued on Page 4)

They Must Have Pix ... Whether or Not

Des Moines—Two theaters will be constructed at the new Seventh Corps Area train center to be built near Leon, Ia., according to plans announced by the War Department. Some 23,000 men will be sent to this training cantonment. No details on the operation or ownership of the houses was disclosed in the War Department's announcement.

Many Jobs Reported By Wil-Kin Supply

Atlanta—Wil-Kin Theater Supply, Inc., lists an imposing number of current orders filled for theaters in this section of the country, indicating the brisk demand for equipment items.

Brenkert projectors have been sold to Wilby-Kinney circuit for the Paramount, Montgomery, Ala., and to Florida State Theaters for the Florida, Jacksonville. Motigraph projectors have been shipped to Wilby-Kinney's Carolina, Hendersonville, N. C., to J. I. Sims' Carolina, Orangeburg, S. C., and to Pal Amusements'

(Continued on Page 4)

Cooper Set To Better Big Nebraska Theater

Lincoln, Neb.—J. H. Cooper, Partner here in the Lincoln Theaters Corp., is making arrangements for extensive improvements in the 1,884-seat Stuart, Lincoln's largest house. Part of the spending will be by him

(Continued on Page 7)

Survey Shows Defense Program Will Not Bring On Shortage of Essentials

Materials,—the fundamental sources of all film theater equipment,—are held sufficient to insure manufacturers' ability to turn out their present lines of products regardless of what peacetime conditions may be imposed on American industry for many months to come, an Equipment News survey reveals. This condition is also held to promise circuits and indie outlets of a generally firm schedule of prices on the many items they must use.

Less than two per cent of the materials needed for the manufacture of electrical equipment, for example,

(Continued on Page 5)

Alabama Profiling By Defense Program

Montgomery, Ala.—Most tangible evidence of advanced purchasing power in this city, due to the national defense program with its huge building projects now in full swing, is the theater business.

From four Nordic and three Negro theaters here six months ago, the

(Continued on Page 4)

Droll Org. Expanding With Trade Growing

Chicago—Droll Theatre Supply Co. have opened a new branch at Milwaukee, 709 West Wells Street, under the management of Oscar Olson, well known to the trade in that ter-

(Continued on Page 5)

Sir Walter Raleigh Spirit Still Lives

Wellsville, O.—Paul Vogel, of the Vogel Air Conditioning & Building Co., believes in helping others before self-service. For some time, Paul has been trying to get around to remodeling his own 500-seat Liberty Theater. However, there was the new Russell Theater at Millersburg which the Russells wanted constructed without delay. Vogel answered the call,—and, now that the job is completed, his Liberty will finally get the needed improvements.

Altec Renews Circuit Pacts Will Again Service 58 Skouras Theaters

E. M. Loew's Latest Will Debut Tomorrow

Boston—The handsome new Plaza Theater, E. M. Loew's newest venture in this territory, opens tomorrow in Salem, the Witch City of historic fame. The new theater is one of the most up to the minute in the New

(Continued on Page 5)

In the wake of the renewal by Skouras Theater Corp. of its agreement with Altec Service Corp. for the latter to service 58 of the circuit's houses in the New York metropolitan area, Altec announced that Leroy Johnson has renewed service agreements with the company for the Jensen-Von Herberg of Seattle, in-

(Continued on Page 6)

Such a Moving Yarn— But Not To Exhib.

Warren, O.—Dan Robins, local theater owner, is convinced that he has on his hands a literally moving picture theater. The city fathers decided to widen the street on which Dan's Ohio pic emporium is located, so they ordered him to move the house. Although the distance is relatively small, as distances go,—a mere 7½ feet—Dan has had to transplant the edifice in its entirety.



A Second Section of THE FILM DAILY comprehensively covering the equipment field, published every second Friday, except holidays, by Wid's Films and Film Folk, Inc., 1501 Broadway, New York City. John W. Alicoste, Publisher; Donald M. Mesereau, General Manager; Chester B. Bahn, Editor; George H. Morris, Equipment Editor. West Coast Bureau, 6425 Hollywood Boulevard, Hollywood, Cal. Ralph Wilk, Bureau Chief.

PLAIN TALK

... about equipment

(Continued from Page 1)

men bought "conditioning" contraptions which froze the auditorium in the warm months, and proved of no practical advantage in the cold months.

In short, these contraptions were unloaded without any such sane recourse as to the theater architect, — or the reputable manufacturer of units, whose field representatives were always in a position to not only give excellent advice, — but deliver the goods which would be good for the exhibitor.

Many situations are still trying to get along with inefficient air conditioning equipment. But there are now evidences that considerable replacement activity is current. Moreover, houses which never have had air conditioning are installing it. Further, there is scarcely a new theater being constructed which doesn't include TRUE air conditioning. As we said, — theatermen are wise-in up.

IN a spirit of constructive suggestion, we opine that a number of film houses should look into a practice which we feel should be curbed, and that is the tendency of houses in cold months to telegraph to passersby that their entrances is nice and snug inside. The only trouble is that very often the warm air which is blown-out is far from fresh. Instead of saying "Come on in!", it says: "Stay out!" to the more sensitive nostrils. Only pure air should be an apostle to the public, — whether it be winter or summer.

Air conditioning, — TRUE air conditioning, — is the practical atmosphere of the modern film theater. Anything less is a canard.

Remodeling Cuba Theater

Havana, Cuba. — Lopez y Rouco circuit has started a scheduled remodeling program to the Cuba Theater here. A new RCA screen will be installed immediately, as will 610 chairs and new booth equipment.

G-E Air Promotion Set

Alan Kent and Ginger Johnson, stars in the field of one-minute radio spot commercials, have produced a series of 50 one-minute spot broadcasts as part of the General Electric holiday drive on home appliances.

NATIONAL

THEATRE SUPPLY COMPANY

NATIONAL

EVERY STORE A LOCAL INSTITUTION WITH A NATIONAL REPUTATION FOR RELIABLE SERVICE

"GET IT FROM NATIONAL"

OF MATERIAL INTEREST



• • • PEOPLE about, and about people: . . . Norbert A. McKenna has been elected vice-president and director of U. S. Plywood Corp. and in his new post is in charge of moulded plywood plastic products. . . . And a propos, — the Chicago moulded Products Co. recently completed a precision job for International Research Corp. of Ann Arbor, Mich., for their ArgioFlex camera. . . . Yep, — Harold Bernstein, prexy of Cincinnati ITO, has received that permit to build a \$28,000 brick-concrete-steel-wood theater at 6042 Montgomery Pike. . . . E. R. Weinstein, W. N. New and D. Scouries have organized the BelLife Products Co. in Chicago, with offices at 139 North Clark St., to distribute lighting equipment to the theater trade. . . . Clarence L. Knowlton, general contractor of Bellefontaine, Ohio, has been awarded via competitive bidding the job to construct the new Schine Theater in Norwalk, Ohio, which house is designed by John and Drew Ebersson. . . .

• • • GLEANINGS. . . . From Frisco comes news that a new theater featuring Chinese all-talking pix. . . . will open this month in that city's Chinatown. . . . J. Sun (who is described in the dispatch as "a rising Chinatown figure") . . . is financing the new house. . . . Everything would be heavenly for the punsters . . . if this turned out to be an enterprise of Schine. . . . • In their 14 metropolitan Oakland, Calif., houses. . . . the Golden State Circuit Theaters are giving away 24-volume sets of the Wonder Books. . . . patently for "volume" biz. . . . • Hot from the Coast, too, is the item that Hal Daigler. . . . (for some years past connected with the Hamrick-Evergreen theaters in a managerial position in both Portland and Seattle) . . . has purchased an interest in the well-known equipment company of B. F. Shearer Theater Equipment Co. . . . Hal will carry the title of Supervisor of Operations. . . .

• • • FRED Mathews, Motograph's head man, spent a few days in New York this week. . . . and then entrained for Boston. . . . where he's now week-ending. . . . prior to headin' back to Chicago. . . . From what we can find out from Fred it looks like his outfit is going big places in a big way. . . . By-the-by, Fred's firm has supplied a lotta projectors to the Government. . . . and even now is filling a sizable order for Uncle Sam. . . . • Indeed those are right convenient initials that H. O. Davis, Oklahoma City m.p. supply dealer has. . . . H. O.'s h.o. (home office) is 522 N. Broadway. . . . in that there city. . . . • Via L. R. Hoff, Johns-Manville vice-prexy, wends word. . . . that Dr. Edward Bartow (recently granted a year's leave of absence as emeritus professor of the University of Iowa's department of chemistry and chemical engineering) has joined. . . . the research laboratories of Johns-Manville Corp. at Manville, N. J. . . .

• • • DOWN Pittsburgh way. . . . E. B. Morton, who's manager of National Theater Supply's Smoky City branch. . . . is raisin' some smoke of his own. . . . by burning up the sales trail . . . with a lotta current orders. . . . • Hopping fra'm minute to the Blue Grass State. . . . we understand that Max (Louisville) Goldberg is planning a new theater at Beattyville, Ky., and that Charlie Mitchell. . . . has broken ground for his second theater. . . . in Barboursville, Ky. . . . Nice goin', boys! . . . • Eli Arkin and George Gross. . . . manager and assistant manager respectively of the Avalon (WB Chicago house) . . . have a new equipment "winkle" . . . They use weighing scales which vend cards. . . . and if a picture of an attraction's star comes out. . . . the patrons goes in. . . . — free. . . .

COMING and GOING

WALTER E. GREEN, NTS president, left New York on Wednesday to visit company branches in both the Mid-West and South, and will return to headquarters in about two weeks.

NEAL BISHOP, vice-prexy of Chicago operators' union, has returned to that city following a visit to New York headquarters.

FRED MATHEWS, Motograph head, is currently in Boston on a business visit.

E. M. LOEW, New England circuit operator, has returned to Boston from Hollywood, and will open his new Plaza Theater tomorrow in Salem, Mass.

JOE HORNSTEIN, head of Joe Hornstein, Inc., has left New York for Florida.

E. M. HARTLEY, in charge of circuit contacts for National Theater Supply, is planning a business jaunt to the Mid-West.

HERB GRIFFIN, of International Projector, is scheduled to return to New York this week from Hollywood.

GEORGE FRIEDL, IPC solon, is en route to the home office from the Coast.

J. W. SERVICES, of NTS's sales promotion staff, is visiting Cleveland, Indianapolis, Detroit, and other key cities.

JAMES FRANK, JR., has returned to New York from California.

DREW EBERSON, of John & Drew Ebersson, film theater architects, returned to New York yesterday from Philadelphia.

Two Plants Purchased By U. S. Plywood Corp.

U. S. Plywood Corp. has purchased all of the stock of the Algoma Plywood & Veneer Co., of Algoma, Wis., and the Hamilton Veneer Co., Orangeburg, S. C., for approximately \$900,000 in cash.

U. S. Plywood Corp. controlled the production of these two plants under contract, prior to this purchase.

Augments Ad Device Line

The Wesbar Stamping Corporation of West Bend, Wis., have added a practical car top sign carrier to their line of proven Car Top Utility Carriers, the function of which is to easily and securely mount signs to metal car tops, for general and film theater advertising, without permanent fastenings and with no drilling of holes or injury to car.

Honored by Photo Society

Rochester — Four Rochester men have been named fellows of the Photographic Society of America. They are: Dr. C. E. K. Mees, Dr. John I. Crabtree and Dr. E. P. Wightman, all of Eastman Kodak Company, and Carroll B. Neblette of Mechanics Institute.

Reade Branches Out

Miami Beach, Fla. — Walter Reade of New York, owner and operator of a chain of more than 50 theaters, is heading a syndicate which has purchased ground on the ocean front and will erect a 500-room hotel on the beach. Plans provide for a \$1,500,000 structure.

THEY'RE ALL TALKING ABOUT THE "One Kilowatt" ARC!



THEATRE OWNERS SAY:

"Those new 'One Kilowatt' arcs are the best investment I ever made. The box office figures show it. Fifty per cent more screen light, comfortable vision at all times, and color that is really *natural* — I tell you, people notice those things. No theatre in town puts on a better show than mine. But you'd be surprised how little it cost."



PROJECTIONISTS SAY:

"We projectionists try to put the best possible picture on the screen. That's our job. But it takes snow white, high intensity light to do it. These new 'One Kilowatt' high intensity arcs give us small theatre projectionists a break. Better black and white projection — tops for color — as cheap to run as low intensity — Boss, they've got what it takes!"



PATRONS SAY:

"Your pictures are a lot better since you put in those new lamps you were telling me about. Mary and I were saying they are as good as we've seen in any theater. That color feature was as natural as life but what I like most is finding a seat without playing 'blindman's buff.' Believe me, we're steady patrons now."

THE NEW
"ONE KILOWATT" ARCS
USE "NATIONAL,"
"SUPREX" AND
"OROTIP" CARBONS

CARBON ARC PROJECTION LAMPS
ARE OPERATED AT A SAFE VOLTAGE.
THEY ARE STURDY AND DURABLE AND ARE
NOT COMPLICATED BY WATER COOLING

The words "National," "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.

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Alabama Profiling By Defense Program

(Continued from Page 1)

number has been added to by a new \$75,000 first-run movie on Commerce, the city's main business street; an auto movie six miles out of town on a paved highway; opening of a legitimate season for the first time in 13 years, with five Broadway successes scheduled; and permit let for the city's first nabe theater.

In addition, the recreational center of new Municipal Field, primary training camp for the government's air corps, will have a movie house with ample facilities for seating upwards of 500, according to Major Deaderick of the Quartermaster Corps, who has charge of letting all contracts.

No falling off in attendance is noted now because of the national defense tax added some months ago.

The new theater owned and to be operated by Charles Rook, Oklahoma theater circuit man, is scheduled to be opened Nov. 4, original date having been delayed because of inability to get seating equipment on time, another indication of advanced business in theater supply houses.

Renew Work on Up-State N. Y. Pic House Whose Construction a Mishap Had Halted

Rochester—After a lapse of seven months, work has been resumed on a new film theater in nearby Canandaigua. Construction was halted last Spring, following collapse of a building wall which took the lives of two Rochester workmen and injured two others. New plans, approved by State and City departments, were prepared during the Summer. Construction work is again in the hands of the Mayo Construction Co. Theater is being built for the Schine interests.

U. S. Air Conditioning Lists New Installations

(Continued from Page 1)

been reported by the United States Air Conditioning Corp.

The Gopher Theater, Crookston, Minn.; Grand Theater, Mankato, Minn.; Garden, Hibbing, Minn., and the Moorhead, Moorhead, Minn., have installed complete ventilating, heating, and cooling systems using deep well water with air washers for cooling.

The Sunset Theater, Davenport, Ia.; the Cavalier, Waynesboro, Va., and the Smithfield, Smithfield, W. Va., have installed heating and cooling system using cold water coils for cooling.

The Empire Theater, Fort Richmond, L. I., N. Y., has installed an evaporative cooling system.

International Seats Ordered

Goodwater, Ala.—R. P. Higginbotham has ordered International seats for his Rex Theater here.

More Equipment Bought For Rook's New House

Montgomery, Ala.—Additional equipment for the new Charles Theater here, under construction for an early opening, is announced by Charles Rook, owner-manager: Simplex 4-Star type B sound equipment, and eight outlets for the hard-of-hearing; Walker silver sheet 15x20; Alexander Smith Crestwood fluorescent carpets for auditorium and Alexander Smith plain Crestwood carpets for ladies' lounge; and a natural gas-fired boiler hot air system and water system including intake and exhaust, all from National Theater Supply Co., Atlanta, Ga.

Also fluorescent lighting and indirect trough lighting from the Nelad Co., Birmingham, Ala.

Brown Printing Co., Montgomery, Ala., was awarded a contract for printing 10,000 16-page booklets describing the theater for distribution to patrons opening week.

Perry's Sandwich System has leased space in the building along the street-front adjoining the lobby for operation of a sandwich and soft drink shop.

Bear Lumber Co., Montgomery, is general contractor.

Feinstein Modernizing

Denver—Sam Feinstein, recent purchaser of the Zaza, is making over the spot and will rename it the Kiva. He plans to spend about \$3,500 in the modernization, doing the front over, putting on a new marquee, and a new paint job inside, together with tile floor.

Installs Film Programs

Watertown, N. Y.—Town Hall in Philadelphia, Jefferson County theater near here, has been reopened by John Augello. Augello installed Walker mounted plastic screen, Simplex projection equipment and renovated the hall which had not previously been used for motion pix.

Markun Opens Ritz

Indianapolis—Oscar Markun has reopened his Ritz Theater under management of Bob Hesseldenz. The house has been completely renovated.

Goodman Selects Simplex

Poseyville, Ind.—S. W. Goodman has completed the installation of New Simplex 4-Star sound equipment in his Marion Theater here.

Morin Doing Biz Again

Fowler, Ind.—Paul Morin has opened the Dreamland here, closed since June.

Many Jobs Reported By Wil-Kin Supply

(Continued from Page 1)

Pal, Hinesville, Ga., plus Brenkert projection lamps and a Robin-Imperial generator for the latter stand.

Motigraph projectors have also been supplied to the Dix Hill Sanatorium, Raleigh, N. C., and to the State Hospital, Morgantown, N. C. Both of these institutions also purchased Brenkert projection lamps and Forest rectifiers.

Alexander Smith carpet has been installed for Boswell & Reynolds' Greenland, Greenboro, Ga., as well as Wil-Kin draperies and International seats. International seats have also gone to the Little Theater in Raleigh, N. C., Martin Theaters' Martin in Andalusia, Ala., and Wilby-Kinney's Carolina, Burlington, N. C.

Additional orders for Brenkert projectors include those for the Howell, Palatka, Fla., John Carbonell's Strand in Key West, and Wilby-Kinney's Tivoli, Chattanooga.

J. C. Holland has ordered Alexander Smith carpet for his Lyman, Lyman, S. C.

Wil-Kin draperies have been purchased recently for the Prince, Pahoehoe, Fla.; the Florida, Tallahassee; Ritz, Brunswick, Ga., and more than 12 additional theaters.

New Lamps Selected

New Haven—Harry F. Shaw, Loew-Poli division manager, reports all Poli houses in the circuit are now equipped with Loew-Blue-Glo lamps, designed by Lester Isaacs, chief projection engineer. The amber bulbs were formerly used. The new type is considered superior for year-round use, and especially effective with Technicolor.

Remodeled Stuckey Bows

Everett, Pa.—The newly remodeled and enlarged Stuckey Theater, which is operated by the Stuckey Bros., had its grand reopening on Wednesday with a gala celebration, in which many exhibitors and exchangemen took part.

Curry Buys Rectifiers

Horse Cave, Ky.—B. J. Curry has installed new rectifiers in his Strand Theater here.

Robertson Adds Seats

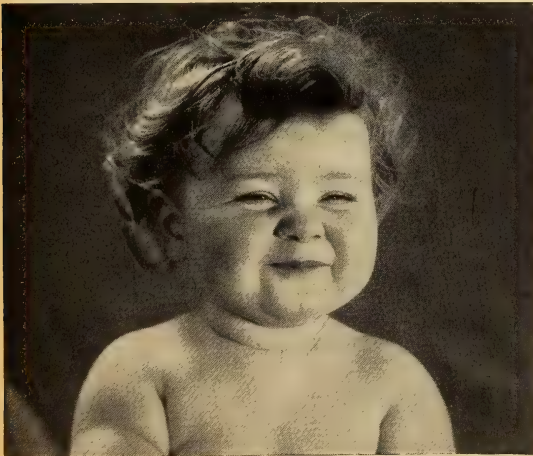
Springfield, Ky.—A. H. Robertson, manager of the Majestic here, has installed 60 additional chairs.

Seville's Front Bettered

Detroit—Bukiwale and Danswski are erecting a new marquee and signs on their Seville Theater.

Shulmans Improving Rivoli

Hartford—Max, Maurice and Joseph Shulman will re-cover and re-decorate the walls of their 900-seat



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and thought to showmanship and exploitation—for Altec takes projection room worries off your shoulders for good! Change to Altec today!

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CHANGE TO ALTEC SERVICE • A CHANGE FOR THE BETTER

See No Shortage of Equipment Materials

(Continued from Page 1)

must now be brought into the U. S. from abroad. Principal items that must be imported include cobalt, antimony, Chile copper, Kanthal mercury, Nickel, tin, copal gum, white and amber mica, shellac, Japan paper, varnished treated silk, asbestos twine and various hemp and long-fiber cotton twines and tapes, tungsten, and China wood oil. All but nickel (Canada), mercury (Mexico), Chile copper (Chile), and antimony (Mexico) come from sources outside the western hemisphere.

There are only two factors, it is cited by experts, which can conceivably cause shortage of materials and consequent price rises. These are hostilities involving the U. S., and some abnormal upswing in the pace of national defense operations over and above those now planned.

Impression gained from the National Defense Advisory Commission's survey of iron, steel and coke, is that there is no justification for a rise in these base items. Textiles of virtually all types, including a wide variety of fabrics used in film theaters, appear certain to continue to be available in present quantity, quality and approximate price.

From the theater facade to the rear party wall, there is not an item which now appears in danger of withdrawal from the market because of a materials' shortage,—nor looms as a sharp price-fluctuation possibility, barring abnormal contingencies.

Result of the materials' backlog being what it is, film house architects say that the current market offers every inducement to showmen to construct new houses and improve existing ones.

Will Improve In Wellsville

Wellsville, O.—Paul Vogel, who took over the family interests in the Liberty Theater here, following the death of his father has announced the local house will be completely modernized. Vogel supervised the building of the new Russell Theater at Millersburg, recently opened.

Jersey Stand Bows

Elizabeth, N. J.—The New Theater has just opened here at 51 Broad St. in the downtown area, as a subsequent run house. House has a streamlined stainless steel box-office and outer lobby of Vitrolite glass, fluorescent type of lighting fixtures. All interior equipment is new and of the latest type. Opening day receipts went to the local Red Cross chapter.

Roh's Places Order

Cynthiana, Ky. — Roh's Opera House here has just been equipped with a new screen and projector supplied by Midwest Theater Supply Co., Cincinnati.

Companies Manufacturing Film Equipment To Join in Health Drive for Employees

Rochester—A. F. Sulzer, vice-president of Eastman Kodak, is chairman of a committee arranging a series of industrial health conferences which are designed to discuss methods of protecting the health of workers who man defense production machinery. The Rochester meetings will launch a nation-wide educational campaign to stress factory health programs. Many firms manufacturing motion picture equipment are expected to participate in the plan.

E. M. Loew's Latest Will Debut Tomorrow

(Continued from Page 1)

England area and seats approximately 1,000 persons, with earphones for several rows of seats.

E. M. Loew returned from a visit to Hollywood this week and will soon announce new plans for further expansion and for new policy in several of his theaters.

Mid-November Opening Expected For New Apex

Washington—The Apex Theater, Washington's newest neighborhood house, will open about the middle of this month, Charles F. Olive, owner and managing director of the Apex Amusement Corporation has announced.

Olive is one of the local Allied leaders and operates the Atlas Theater. His new house will serve suburban communities.

The cost of the new theater is approximately \$250,000 and is constructed of sandstone and marble with unique lighting effects borrowed from the World's Fair school of architecture. It will contain a sound proof, glass-fronted nursery and playroom for children.

\$40,000 Columbus Project

Columbus, O.—City department of buildings has issued a permit to the Beechwood Enterprises, Inc., for the construction of a brick and steel theater building; estimated cost is \$40,000. Contractor for the project is the F & Y Construction Co. here.

New Front for Chi. Roxy

Chicago—The Schonestadt circuit has installed a new front for the Roxy Theater, they recently took over from the Lasker circuit.

Whitmeier air conditioning equipment has been installed as has new booth equipment.

Frisch Plaza Reopened

Youngstown, O.—J. O. Flaherty has reopened the Plaza Theater here after complete renovating. House is owned by L. J. Frisch of Campbell and Ashtabula Harbor.

Winkenhof Buys Lenses

Huntington, Ind.—C. Winkenhof has installed new Bausch & Lomb F.2 Super Cinephor treated lenses in his Gem Theater here.

House Gets Marquee

London, Ky.—O. J. Minnix and H. V. McClure have outfitted their recently acquired Southland here with a new marquee.

Droll Org. Expanding With Trade Growing

(Continued from Page 1)

ritory. Another office will be opened soon, in Minneapolis, according to the Droll executives, as soon as a suitable location has been found. C. H. Maylon, sales manager says business outlook is good. Among recent jobs are two Motiograph model K projectors for the new Glencoe at Glencoe, Ill., three model K Motiographs for the Rialto Theater at Champaign, Ill., also Motiograph Mirrophonic sound system.

The Varsity Theater at Champaign has received two model K Motiograph projectors, also a Mirrophonic sound system.

The Sunset Theater at Davenport, Iowa, formerly the Zenith, under Adolph Gertz management has installed 500 General Seating Company deluxe seats through the Droll Company, also complete booth equipment.

The Progressive Club at South Bend, Indiana has taken delivery of an automatic curtain control, Maylon says.

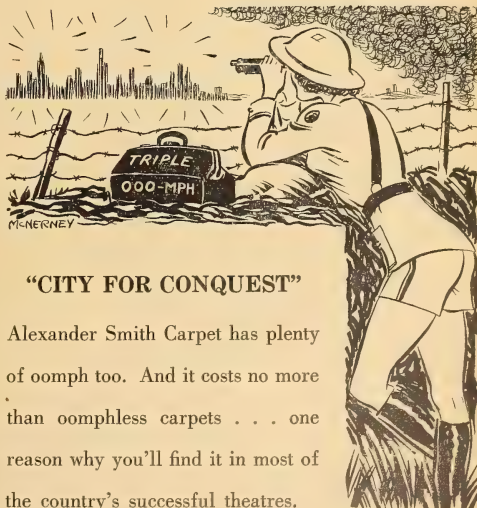
31 Fabian Theaters Will Get RCA Service

Thirty-one theaters of the Fabian chain, including eight Staten Island theaters not heretofore covered, will receive RCA Sound service under a new contract which also includes parts and tube replacement, according to W. L. Jones, RCA National Service Manager.

Negotiations were handled by Sam Rosen for Fabian, and by Bernard Sholtz and W. W. Jones, New York Photophone executives, for RCA. The eight houses not included in previous RCA service contract comprise the Par-Land group. These houses are the "Staten," New Dorp; "St. George," St. George; "Capitol," West New Brighton; "Stadium," Tottenville; "Paramount" and "Liberty," Stapleton; "Ritz," Port Richmond, and "Strand," Great Kills.

Bailey Opening House

New Haven—When the 732-seat Westville, to be operated by Bailey Bros. and managed by Samuel Bailey, opens its doors November 19 or 20, it will be with a novel open house party and free show. The new house, of which Jacob Weinstein is the architect and Jack Halprin, general contractor, is predicted to be one of New England's most attractive and unusual modernistic houses of this size.



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Altec in Renewals Of Circuit Contracts

(Continued from Page 1)

cluding the Liberty, Bagdad and Venetian. Barclay Ardell negotiated for Altec.

Further, R. S. Rogers contracted with Altec to service the Cheraw Theater, Cheraw, S. C., and Hamrick Enterprises, Inc., has signed for service the Hamrick, Gaffney, S. C., with H. B. Moog negotiating for Altec.

Another important pact concluded a few days ago was "Mike" Kallet's renewing a service agreement with Altec for the 24 Kallet houses in New York State. A. J. Rademacher represented Altec not only in this deal but in one with the Jayem Management Corp., which signed for Jayem houses in West New York, N. J., Cliffside, N. J., and Brooklyn.

New Toledo 1,800 Seater To Be Ready About May 1

Toledo, O.—The Bryden Michigan Building Co. of Cleveland has taken a 30 year lease on the 1800-seat deluxe motion picture theater which will be part of a million dollar building project to be erected on W. Central Ave. at St. Bernard Drive. The lease includes a parking space for 600 cars. George Ebling, Cuyahoga Bldg., Cleveland, is preparing the plans. The building is expected to be completed about May 1.

The Bryden Michigan Building Co. includes Sam Stecker, M. S. Fine, Abe Kramer and other members of the Associated Theaters Circuit of Cleveland.

LaFayette Is Bettered

LaFayette, Ala.—Improvements to LaFayette Theater include new sound equipment and new paint on the exterior. Manager E. M. Jennings reports other improvements are planned.

WHO'S WHO IN EQUIPMENT

EDWARD THOMAS MURPHY. Born in New York City in 1880.—son of Timothy Edward and Sarah A. Murphy. Educated at Lehigh University, graduating 1901 with M. E. degree. began career in sales department of Bethlehem Steel Co., 1901. Engaged in construction work at Buffalo Forge Co., 1902-04. Sales engineer with B. F. Sturtevant Co., 1904-06. Manager of Philadelphia office of Buffalo Forge Co. and Carrier Air Conditioning Corp., 1907-15. Named vice-president and Philadelphia manager of Carrier Engineering Corp. in 1915. Designated vice-president and sales manager, Newark, in 1927. Elevated to presidency in 1933. Then served as vice-president and Chicago district manager, 1934-39. Since last year has held post of vice-president in charge of marketing, Carrier Corp., Syracuse. Member of American Society of Heating and Ventilating Engineers, American Society of Mechanical Engineers, Refrigerating Machinery Association, Theata Delta Chi and Sigma Xi. Is also member of the Onondaga Golf and Country Club, Syracuse, and the Penn Athletic Club, Philadelphia. Hobbies: fishing and golf. Resides 1055 James St., Syracuse, and commercially headquarters at 302 South Geddes St., Syracuse.



NSS Announces Shifts in Its Chi. Personnel

Chicago—John Mednikow, for many years prominent in the film trade field, has been named manager of the Milwaukee offices of the National Screen Service, succeeding Lou Patts, who goes to the Des Moines offices, where "Chick" Friedman has resigned.

Roy Alexander, country sales, has been transferred to the Chicago sales district and his territory has been taken over by Arthur Phillips.

Chicago friends of Mednikow will have a farewell dinner for him to-night in the Florentine Room of the Congress Hotel.

Int. Seats For 3 Stands

San Francisco—Jim Riley of Pacific Coast Theater Supply Co. reports the sale of International seats to Blumenfeld's Marion Davies Theater, the New Sunset Theater and the Berkeley Bowl. The Marion Davies Theater is using 1,000 loge seats. All three places will open within the next 30 days.

New Selector Control Is Announced by G-E

Schenectady—A new selector control for maintaining constant temperature and humidification and dehumidification control in process air conditioning has been announced by the General Electric Co. here. It is also entirely suitable for automatic year-round comfort control. This new selector-control unit, when used with a three-wire, "floating" type thermostat or humidistat, provides close control of temperature or humidity under widely varying conditions.

Outstanding features of the new device include a synchronous timing motor to assure accurate timing; control relays for single-pole, double-throw switching; conveniently located high-voltage and low-voltage terminals, and a trim, aluminum-finish case.

Celotex Trade Brisk

Chicago—The Celotex Corp. reports a good demand from the theater trade for their line of acoustic board. Among the recent installations are the Bonham Theater at Fairbury and the World Theater at Kearney, Neb. The State Theater, Pierre, S. D., and the Priest Theater at High Springs, Fla., have also made installations.

Mundo to Open New House

Little Rock, Ark.—C. C. Mundo, owner of the Rex, will open a new 300-seat house, the Liberty, at 313 Main St. in December. RCA sound will be installed.

Uses Ampitheater Design

Cincinnati—Charles Mitchell is completing a new theater in Barbourville. House, 500-seater, is of amphitheater design.

Improve Amity Theater

Amity, Ark.—The Amity Theater is installing new seats and improvements are being made in the booth.

Sees Larger Stands Using New Sound

(Continued from Page 1)

revolutionary technique in sound reproduction, the new system of recording and reproducing sound-on-film employs entirely new principles both in the studio production and in theater presentation. Three years of work by Disney and RCA engineers went into its developments.

Development causes sound actually to move with all action on the screen. This realism in sound is accomplished by the use of a number of loudspeakers placed at different points behind the motion picture screen. If a bee buzzes into the scene, for instance, to circle around the screen and off again, loudspeakers are automatically cut on and off to follow its progress. This drone can also be heard traveling all around the theater.

"Fantasound" plays an enormous part in "Fantasia." The music of the 103-piece Philadelphia Orchestra under the baton of Leopold Stokowski is the chief and sometimes the only actor. But to achieve the unusual orchestral effects required a staggering amount of work. The Disney experts who produced the picture had difficulty in believing their own ears when they first heard their handiwork. They heard screen sounds come forth with flexibility for the first time. They followed the music with their ears and eyes all over the screen. In addition, they heard it coming from all around them in certain of the more exciting or dramatic parts.

"Fantasound" should prove an important step forward for the motion picture art, its sponsors claim. At present limited to "Fantasia" because of the elaborate sound reproducing system required for the theater, it is expected nevertheless to form the basis for further research and development in the realm of sound on film from which eventually will come new sound equipment which the average theater can afford to install.

Three More for Mid-West

Galesburg, Ill.—Kenneth F. Childs is planning to build a motion picture theater on East State St. as soon as the site is cleared of old buildings. M. Brotman & Sons have let contracts for an 800-seat theater to go up on 31st St. and 23rd Ave. in Moline, Ill., and plans are under consideration for another theater, to be erected in the Tri Cities when the suitable site is secured.

Strand Shutters Rialto

Bridgeport—Strand Amusement Co. closed the 740-seat Rialto on the week-end for complete renovation and reconstruction, including new aisles, lighting, marquee, seats, air-conditioning, and decorating. The house will be closed for 10 days.

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Erpi Device Speeds Developing of Film

(Continued from Page 1)

not only does the film industry's new device boast a sensitivity five times keener than the human eye, but that, unlike the eye, it can tolerate the blinding glare of Hollywood's most powerful sun-arc without impairing its delicate perception in the slightest.

In developing the instrument, Erpi engineers sought a scientific method of measuring the "density" or pattern of light and shade which comprises the image on a motion picture film.

To make such measurements, the Integrating-Sphere Densitometer traps that portion of a beam of light which succeeds in penetrating a test sample of motion picture film. The trap consists of a hollow ball or sphere, the inner surface of which is finished in white, and fitted with a photoelectric cell or "electric eye." Light entering the globular chamber is reflected many times and finally falls on the photoelectric cell as a thoroughly mixed or "integrated" product. Its value or brightness is then translated into electrical current and registers, in terms of density, on a meter. This information enables technicians to regulate with extreme accuracy the chemical processes involved in developing or "finishing" the film.

According to Dr. J. G. Frayne and G. R. Crane who developed the instrument in Erpi's Hollywood laboratories, it functions to indicate the time of development of the film in much the same manner that the camera fan's exposure meter indicates the time of exposure for the film in his camera. The new device, however, is many times more accurate and, moreover, can be used for controlling the development of both positive and negative film.

Heretofore, density measurements have been taken with an instrument that relied for much of its accuracy on the eye and on the judgment of the individual operator. In this older method, light transmitted through a test sample of film was compared visually with that given off by a standard sample. Fatigue, eyestrain, and individual differences between operators often resulted in error. By eliminating the human element, therefore, the new method gains in speed, accuracy, and consistency.

New Fronts Reported

Rockford, Ill.—Bert and Kasper Johnson are building a new front for their family theater. The Vogue Theater, under Mike Kirkhart management, is also receiving a new front, while the Van Matre interests here are planning a new neighborhood theater in the northern section of the city. The Rialto Theater at Champaign, under Gene Russell ownership, has installed new sound equipment for the house.

There Are Strange Things Done 'Neath the Florida Sun by Exhibs. Who Toil For Gold

So you're going to Florida this winter! Maybe you'll stumble on one of the following oddities: (1) At the Lincoln and Mayfair in Miami, coffee and tea are served to patrons at any time during the show in the respective lobbies; (2) At Tavernier—the Tavernier Theater's seating capacity is bigger than the town's population, and is constantly operated at a loss, but is kept running inasmuch as its owners find that it attracts a lot of extra trade to the drug store and restaurant which they also own; and (3) At Everglades, the Everglades Theater is a converted residence and is used as a church on Sunday; owner is a soda clerk; his wife runs the theater; house has three separate sections (one for Nordics, one for Negroes, and one for Seminole Indians); and mosquitoes are so bad that smudge pots adorn the porch as well as the theater itself. Some fun!

To Build Jacksonville's Only Indie First-Run

Jacksonville—The local St. Johns Amusement Corporation of Jacksonville announces the conclusion of negotiations with the Atlantic National Bank for a long-term lease of the property now occupied by the Blum Building and Castle Hall Building, located on the north side of Forsyth Street, between the Atlantic National Bank and the Barnett National Bank.

Demolition of the present three-story structures will commence immediately to make way for a modern theater and commercial building which the owners hope to have completed by March 1, 1941.

This theater, to be known as the St. Johns, will be Jacksonville's only independently operated first-run theater and will exhibit Warner Brothers' and First National motion pictures, among others.

Nine More Chi. Theaters Now Air Conditioned

Chicago — Commonwealth Edison Co. reports nine theater air-conditioning installations to date this year, with a horse power of 382 and a tonnage of 360. Houses equipped are the Ark, Crest, Lex, Rex, Monroe, Sunnyside, Gold, Rialto and the 20th-Century. Inquiries for the Fall and Winter months, are above the average.

General Electric will stall the air-conditioning equipment through Advance Heating Co., contractors, for the new M-G-M offices in the Warner Film building at 1307 S. Wabash Ave. It will be a 20-ton outfit with 28 hp.

Wisconsin Houses Improve

Milwaukee—Both the Majestic at Madison and the Ritz here are undergoing remodeling of their fronts. The former house, operated by Arthur Desormeaux is being fitted with a new porcelain front and four-line canopy, while the Ritz, owned by M. H. Brumm and leased by Fox is being equipped with a porcelain facade, new marquee, box-office and outer lobby.

Remodeling Fla. Theater

Belle Glade, Fla.—The Everglades Theater is being remodeled. New seats have been installed and a general job of new decorating is under way. Outstanding among the improvements will be the new marquee.

NTS Fills Orders For Two New Film Houses

Pittsburgh—National Theater Supply Co. in this city, through its manager, E. B. Morton, reports that 600 Irwin chairs, a Walker screen, Simplex E-7 projector, Simplex SI projection lamps, Alexander Smith carpet and a Hertner generator have been installed in Sam Hanauer's new State Theater in Beaver Falls, Pa. The order also called for Simplex 4 Star A 15 sound, as well as all booth equipment. Theater opens Nov. 15.

Princess-Rex Theater Co. has ordered 80 Irwin chairs, Walker screen, Simplex projection lamps and National rectifiers, Simplex 4 Star A 30 sound, Simplex E-7 heads with 18 in. magazines, type I pedestals, and all booth equipment for the house in Shinnston, W. Va. This house has not yet been given a name.

Cincinnati Times Theater Equipped by Midwest Co.

Cincinnati — RKO Times Theater has opened. Harry M. Price, Cincy, and John Ebersson, New York, were associated architects. Equipment was supplied by Midwest Theater Supply Co. Ventilating and air-conditioning duct work was furnished by Young & Bertke. Seating 500, house will serve RKO as a third and fourth run.

Brooks Incorporates Venture

Detroit—Bernard Brooks, owner of the President Theater, is incorporating the \$10,000 Rouge Theater Co. to operate the new house he is building in River Rouge.

Cooper to Improve Big Neb. Theater

(Continued from Page 1)

and part by the Stuart Investment Co., the house landlord.

It will be an expenditure of about \$75,000, it is predicted, and will take care of furniture, upholstery, general interior decoration, re-doing of the loges, and installation of new projection equipment.

Deal is in the early stages now and will probably be completed at the next Cooper visit here from New York, scheduled in a couple of weeks.

Boston Supply House Reports Installations

Boston—Independent Theater Supply Co. here reports installation of Strong projection lamps and rectifiers in E. M. Loew's Hartford, Conn., theater, and his new Plaza in Salem. Latter house, which opens tomorrow, also ordered a Wenzel projector from ITS.

Supply house also is filling orders placed for equipment by E. M. Loew's Capital in Sanford, Me.

New International chairs have been installed by ITS in George Husson's Wilmington, Wilmington, Mass.

New Cyclex Lamps Double Illumination of Screen

Waterloo, Ia.—New Cyclex lamps to double the screen illumination and minimize the flicker of projection light have been installed in the Palace Theater.

The new lamps use alternating current and synchronization of light and projection shutter frequencies which reduces the flicker normally apparent, especially in front-row seats.

Enlarging La Caridad

Santa Clara, Cuba—Management of Negrete y Hno. will start renovation work at once to the La Caridad Theater. Operations include boosting seating capacity to 1,000 seats.

Marcelino Cherta Calderin has opened a new theater in the nearby town of Palmira.

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PROSCENIUM CHATTER

A. A. FEINBERG, prexy of U. S. Air Conditioning Corp., of Minneapolis, announces that the company's export biz is now being handled through its Export Division, 810 Graybar Building, New York. Arrangement became effective on Nov. 1.

Well, Milwaukee has its first new-reel theater, converted from the former Little by Lawrence L. Brown and William Nilles, who are partners in the new venture. House is a right spacious affair, having 1,110 seats.

Flash from Spartanburg, S. C., informs that Bob Talbert, city manager of Wilby-Kinney theaters, announces that the community's newest movie house, to be erected at the corner of East Main and North Liberty Sts., will cost about \$60,000; that it'll seat twist 800 and 900; and that contracts will be let at an early date.

Out of Jacksonville, Fla., issues news that Architect Roy A. Benjamin is preparing plans for a 600-seater to be built by Sparks Enterprises at Pearl and 28th Sts. This one will be a nabe house, located in a new section known as Brentwood.

Exhibitor Lester Miller is getting new sound from RCA for the Palace in Coweta, Okla.

Malcolm Millar, manager of the Gold-Dobrow Theater, claims that the Everglades Theater in Belle Glade, Fla., is to be remodeled,—in fact contracts have already been let and initial work is under way.

Herman Kerwin, candidate of the Mayfair in St. John, N. E., for the versatility championship among film theater employees at large, took suddenly ill while in uniform as doorman, and had to be moved to his home for a rest of about 10 days. Trouble was with his heart. He has been a doorman and chief of ushers at the Mayfair since it was founded about eight years ago, and previously worked in a theater in his home town of Ottawa, Ont. His varied talents include painting, decorating, carpentry, engineering, metal working,—and is equally at home in uniform or overalls.

Jack Gross, prexy of the Amsterdam Amusement Co., operator of the Hill Theater, 1763 Amsterdam Ave., New York City, has arranged for installation of new sound equipment. The Hill operates as a Harry Harris affiliate.

J. Lewis Cannon, Jr., top solon of the Grand Theater Corp., operator of the Grand, New Haven, Conn., is letting contracts for the complete renovation of the house.

An oil strike in Falls City, Neb., changed Oscar Johnson's plans in naming his new theater which will be opened in December. He had intended to call it the New Rivoli, but the black gold discovery has him now designing a marquee labeling the showplace, the Oil City.

Four New Theaters for Oklahoma City

Oklahoma City, Okla.—Chet Humphreys, operator of the Ritz, at Britton, who is remodeling a building for a theater on the site of the old Log Cabin amusement center in the 2600 block on N. W. Thirty-ninth St. is putting on the finishing touches. The new Uptown theater at 1212 N. Hudson which is being built by R. G. Seiber, hotel man, and leased to Charles Ferris for operation, is scheduled to be opened soon after Nov. 15. House will cost an estimated \$50,000 according to Charles Suttle, general contractor.

The new \$50,000 theater to be constructed here by Louis Barton, Stroud, Okla., exhibitor, at S. W. Twenty-ninth St. and Wm. Aves., is expected that it will be completed by Jan. 1. House will seat 750.

Sam Caporal, operator of the Yale and Mayflower here, is watching erection of his Bison theater at N. W. Twenty-third St. and Kate, which is a \$50,000 venture. After this house is completed, Caporal will essay the construction of a fourth house here at a site at N. W. Forty-third St. and Western Ave., which also will cost about \$50,000.

Stamm Co. to Remodel The McNair for Thimmig

St. Louis—Walter Thimmig has awarded the contract for the remodeling of the McNair Theater, to the Stamm Construction Co., of Maplewood. The architect in charge of the plans is O. W. Stiegemeier, of St. Louis.

The improvements will include a modern structural glass front with ornamental aluminum trim, Marlite wood veneer and Ludite board will be used in the interior work. New lighting fixtures will be installed. Work will cost upwards of \$7,000.

Long Sign Gets Biz

Detroit—Several new jobs on theater fronts are under construction by Long Sign Company, including the sign and marquee on the new Civic Theater being erected by Joseph Miskinis here, a new soffit on the Midway, in Dearborn, for Joseph Stoia, and a new vertical sign on the Wayne Theater at Wayne for Walter Shafer.

Western Serves Iowa Stand

Omaha—Plans and construction work for M. Smith's Norka Theater, Iowa house, are entrusted to Western Theater Supply Co. here, which organization is also furnishing drapes and lighting fixtures.

Atlanta Open-Air Theater

Atlanta, Ga.—Construction of an open-air theater in North Fulton Park within the near future was promised members of the Cherokee Civic Club by County Commissioner Troy Chastain.

Jacksonville Gets Four Nabe Theaters

Jacksonville, Fla.—Jacksonville reports an unprecedented construction of new theaters, with four nabes planned and a large downtown movie theater rumored.

This feverish construction is due to the big influx in population and payroll revenue which will shortly come to the city through the construction of a Naval Air Station and work at Camp Blanding, some 40 miles from the city which will bring 40,000 or more men in training. Both will bring the city an estimated payroll of \$2,000,000 a month.

E. J. Sparks, president of the Florida State Theaters, has secured sites for three new nabe houses, the architect is drawing up plans and all will be completed by February, 1941. Roy Benjamin, Jacksonville architect, has planned modern houses. It will bring the number of Sparks operated houses in Jacksonville to 12, with 140 in the State.

Ground for another neighborhood house has been broken by L. H. Holloway and associates of Cordele, Ga., a small operator. His theater will seat 700 and the Sparks houses, 300 each.

A \$2,000 option on a downtown Jacksonville site has been taken by New York interests contemplating a first-run house. The house will seat about 900.

Colvin Reveals Sales Made By His Supply Org.

St. Louis—Ray Colvin, head of the Exhibitors Supply Co., has returned from Chicago where he attended a meeting of the Supply Dealers Protective Association of which he is a member. Gathering was at the Congress Hotel.

Colvin has announced the following recent sales by his company: New carpets and house drapes to Strand, Fairfield, Ill.; new stage settings and necessary drapes to Illinois Masonic Home, Sullivan, Ill.; new stage settings and draperies, Vista, Centralia, Mo.; stage settings to Vita, Warren, Mo.; new rectifiers and projection lamps to Varsity, Columbia, Mo.; new pair Cyclex projection lamps to Capitol, McLeansboro, Ill. and Bijou, Carrollton, Ill.

Rex Has Kno-Draft

Chicago—Plandaire Kno-Draft Spun Aluminum Ceiling Type-Air Distribution Terminals were recently installed in the new Rex Theater, 3679 West Grand Avenue, here. Three 30 in. Model "F" units provide draftless distribution throughout the theater auditorium.

The owner of the Rex, D. J. Christis, engaged Roy B. Blass as architect on this project. The Sheet Metal contractor was the Reynolds Corp. of this city.

EQUIPMENT FIELD NOTES

MANAGER Tom Wall of the new Circle Theater in the Brookline-Boston-Brighton area has installed the new type seat which permit patrons to come and go without disturbing others in the same row, and has also installed an innovation for Boston theaters by providing a parking lot for more than 400 cars directly adjacent to the theater with uniformed attendants in charge of the lot throughout the afternoon and night. The new theater is one of the most up-to-the-minute in the sector made famous by the Minute Men.

Cecil Cornelius, chairman of the County Commission airport committee down Lake Worth, Fla., way, and E. M. Hallower, civil engineer, announce that work is expected to start at once on a movie theater which is listed among the new buildings to be erected at the Army air base, where the number of officers and men is to be increased to approximately 4,000.

Joe Goldberg, of Joe Goldberg, Inc., Chicago, reports that his organization has secured the entire equipment contract for the new Beck Theater now going up in the Loop at Dearborn and Madison. Order calls for Kroehler slide back seats, RCA sound, General Register coin receivers, and Brenkert projectors. Work is being rushed on the house so it can be ready for holiday opening. The new theater will be known as the Beck Theater, in honor of that veteran showman,—John Beck.

S.O.S. Cinema Supply Corp., New York City, certainly has a wide-spread clientele. Witness: G. C. Hoffman who operates the Roxy out in Washburn, N. D., has just ordered an S.O.S. Cinemaphone sound system and Powers projectors; Juan Delgado of the National Theater, Crystal, Tex., an S.O.S. Cinemaphone BB sound system and Powers projector; and F. J. Gaude, of the Arcade Theater, Patterson, La., soundheads, S.O.S. E.C.-5 amplifier, Mazda projection lamps, Powers projector, and Heywood-Wakefield chairs, plus a No. 12 Chrome screen.

George Husson, who operates the Wilmington Theater up in Wilmington, Mass., has just made that house an oasis of patron comfort by installing the latest type International chairs.

C. H. Maylon, Droll Theater Supply Co.'s sales manager, looks for a banner fall and winter biz, as a result of carefully checking the large number of current and up-coming jobs in and about the Chicago sector.

L. D. Gordon, D. McCabe and H. Klorine have organized the Automatic Ticket and Register Co., with offices at 134 North LaSalle St., to build and distribute ticket register equipment.

Frank D. Nieto is building a new theater, the Zia, in Los Lunas, N. M., and it will be completed shortly, according to work from Frank.

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 93 NEW YORK, MONDAY, NOVEMBER 11, 1940 TEN CENTS

NEW COMPLAINT AIMED AT "LITTLE THREE"

Student Admission Prices Face Federal Taxation

Exhibs. Must Collect Levy Based on the Prevailing House Scales for Adults

Theaters which have adopted a policy of special student admission prices face the necessity of collecting Federal taxes based on the prevailing scale for adults, it was revealed by the Department of Internal Revenue in a letter to the ITO of Ohio.

This means that if a theater admits students for 15 or 20 cents, (Continued on Page 8)

NW Allied to Seek Law Against 16 mm.

Minneapolis—A bill which would prohibit the showing of 16 mm. pictures in taverns and clubs, as well as the banning of coin-in-the-slot film devices, will be sought in the Minnesota legislature by Allied Theaters of Northwest. Present plan calls for the introduction of such a measure when the law-makers reconvene and is said to be the first organized campaign against such alleged competition. Allied members claim 16 mm. pictures are hurting patronage in regular theaters.

Republic's Regional Sales Meet Opens Tomorrow

Republic will hold its next regular quarterly regional sales meeting for the Eastern territory at its home office tomorrow. H. J. Yates, president of CFI, J. K. Grainger, president of Republic, and other home office executives will attend.

Among the exchanges' representation (Continued on Page 7)

Anti-Nazi Pix Bring Top Biz in Argentina

Buenos Aires (By Air Mail)—Pro-American and anti-Nazi trend in Argentina is nowhere more noticeable than in the film field. Metro's "Mortal Storm" and 20th-Fox's "Four Sons" are top b.o. hits in both local first-runs and nabes. Film audiences are cheering shots of Roosevelt in the newsreels, while Hitler and Mussolini footage is roundly hissed.

TIMES REVIEW BRINGS PICKETING

Heymann Takes Exception to "Heritage" Razzberry; Police Halt Parade Before Times Building

First case of a distributor biting a critic became a matter of record last Friday when Andre R. Heymann, president of the French Cinema Center, flanked by John Shane, manager of the Belmont theater, and four ushers from the house, picketed the New York Times building in protest over a review by Bosley Crowther, Times film critic, of "Heritage,"

French film being distributed here by Heymann. Picture is currently playing at the Belmont.

Heymann was halted at his patrol duties by the police. The police told Heymann he couldn't picket, it was against the law, and what was more, they accused Heymann of (Continued on Page 4)

Only 76 Theaters To Get "Fantasia"

Walt Disney's "Fantasia" will play in a maximum of 76 theaters in as many U. S. cities during the next two years, but will be shown in no more than 12 at the same time. It is anticipated by Disney that the picture will gross \$15,000,000 during its entire run.

"Fantasia" has its premiere at the Broadway Theater, New York, on (Continued on Page 7)

Lipton Leaves "U" Dec. 14; Takes Columbia Post Jan. 2

David A. Lipton's resignation as publicist at Universal Pictures' studio becomes effective Dec. 14 at which time he will go to Columbia's studio to co-ordinate plans with Lou Smith, (Continued on Page 4)

Discuss Greater Para. Partner "Cohesion"

Chicago—Greater cohesion among Paramount theater partners and subsidiaries was among the principal topics for discussion at a weekend conference of Paramount operators at the Drake Hotel. Other subjects included maintenance of production schedules, foreign market losses and general management problems.

Those who attended the sessions (Continued on Page 6)

Loew's Amortizing Table Now Shows 75% Domestic

Due to war conditions abroad, Loew's, Inc., again has revised its table of amortization of film costs. Applicable to all pictures released after Sept. 1, 1939, such costs will (Continued on Page 6)

Arbitration for All Eight Majors Asked For in Amended Action

Creation of a nationwide industry arbitration system with jurisdiction over the eight major companies was demanded by the Government in a 71-page amended complaint which it served on the defendants Saturday. A notice of application on Nov. 14 to Federal Judge Henry W. Goddard (Continued on Page 8)

Regional Arbitration Setup by Feb. 1

Deadline for the setting up of the regional arbitration tribunals has been set for Feb. 1, if, of course, the consent decree in the New York equity suit is approved by Federal Judge Henry W. Goddard on Thursday.

Establishment of the appeals board and its personnel probably won't take place until about March (Continued on Page 6)

Venezuela Proposes Film Import License

In addition to new motion picture and theatrical censorship regulations enacted by the Municipal Council of the Federal District of Venezuela, the Venezuelan Government has proposed (Continued on Page 5)

SMPE to Meet in Rochester Spring Conclave at Sagamore Hotel May 5-8

Conn. Allied to Appear At Hearing on Decree

New Haven—Allied Theater Owners of Connecticut will meet tomorrow at the Hof-Brau Haus Restaurant, with A. M. Schuman presiding after a long illness, and absence from his chair. The group will discuss (Continued on Page 4)

For the first time in the SMPE's annals, the Society will hold a general conclave in Rochester—the Spring Convention being definitely set for the Flower City, it was learned on the week-end. Sessions will be held at the Sagamore Hotel, May 5-8.

SMPE officials are currently working (Continued on Page 5)

At Last,—A Method To Make Receipts Rise!

Oklahoma City, Okla.—Rudolph Smith, operator of the Royal Theater in Mountain View, is a model of efficiency. When his cashier goes home at 9 p.m., the ingenious Smith takes over the job of helping operate the projection machine. Patrons who present themselves at the theater after the cashier has scrambled homework just knock on the glass door of the house, and Smith on duty in the booth,—or the regular projectionist,—lets down a clothoskein on a string. The patron pinches his money in the clothoskein and it is pulled up to the booth, making the way clear for the customer to enter the theater!

THE FILM DAILY ALL THE NEWS OF FILMDOM

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JOHN W. ALICOATE : : : Publisher

DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : Editor

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FINANCIAL

(QUOTATIONS OF FRIDAY, NOV. 8)
NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	8 1/2	8 1/2	8 1/2	— 1/2
Col. Pict. vtc. (2 1/2 %)	6 1/2	6	6	— 1/2
Columbia Pict. pfd.	20 1/2	20 1/2	20 1/2	+ 3/4
Con. Fm. Ind. pfd.	9 1/2	9 1/2	9 1/2	+ 3/4
Con. Fm. Ind. pfd.	9 1/2	9 1/2	9 1/2	+ 3/4
East. Kodak	143 1/4	141 1/2	141 1/2	— 1/2
do pfd.	11 1/2	11 1/2	11 1/2	— 1/2
Gen. Th. Eq.	29 1/2	28 1/2	29 1/2	+ 1/2
Loew's, Inc.	29 1/2	28 1/2	29 1/2	+ 1/2
do pfd.	9 1/2	9 1/2	9 1/2	— 1/4
Paramount	95	95	95	+ 1
Para. 1st pfd.	103 1/2	103 1/2	103 1/2	+ 1/2
Para. 2nd pfd.	103 1/2	103 1/2	103 1/2	+ 1/2
Pathe Film	11 1/2	10 3/4	10 3/4	— 1/2
RKO	29 1/2	29 1/2	29 1/2	+ 3/4
20th Century-Fox	6 1/2	6 1/2	6 1/2	— 1/2
20th Century-Fox pfd.	18 1/2	17 1/2	17 1/2	— 3/4
Univ. Pict. pfd.	89 1/2	87	89 1/2	+ 3/4
Warner Bros.	3 1/4	3	3	— 1/4
do pfd.	3	3	3	— 1/4

NEW YORK BOND MARKET				
Keith B. F. ref. 6546	103	102 1/2	103	—
Loew's deb. 3 1/2 %	96	95	95	+ 1
Para. 8 way	355	355	355	—
Para. Pict. 6555	92 1/2	92	92 1/2	+ 1/2
Warner Bros. deb. 6548	92 1/2	92	92 1/2	+ 1/2

NEW YORK CURB MARKET				
Monogram Pict.	10 1/2	9 1/2	9 1/2	— 1/2
Monotype Corp.	10 1/2	9 1/2	9 1/2	— 1/2
Technicolor	10 1/2	9 1/2	9 1/2	— 1/2
Trans-Lux	1 1/4	1 1/4	1 1/4	—
Universal Corp. vtc.	3 1/2	3 1/2	3 1/2	— 1/2

20th-Fox's Suit Against Century Circuit Settled

Settlement of the \$70,000 damage suit of 20th-Fox against Century Circuit was filed Friday in the New York Supreme Court. The film company had sued on two contracts covering play dates for its films for the 1936-1939 and 1939-40 seasons, claiming that the defendant had failed to show certain films. A counter-claim of \$75,000 had been raised on a charge that the plaintiff had failed to carry out its part. No terms were disclosed.

The Broadway Parade

Picture and Distributor

The Great Dictator (United Artists-Chaplin)—5th week (d)	Theater
Escape (Metro-Goldwyn-Mayer Pictures)—2nd week	Capitol
The Mark of Zorro (Twentieth Century-Fox)—2nd week	Music Hall
Roxo Northwest Mounted Police (Paramount Pictures)	Paramount
Christmas in July (Paramount Pictures)	Paramount
Tugboat Annie Sails Again (Warner Bros. Pictures)	Rivoli
The Golden Fleecing (Metro-Goldwyn-Mayer Pictures)	Strand
The Devil's Pipeline (Universal Pictures)—2nd week	Criterion
Girls Under 21 (Columbia Pictures)	Rialto
Tugboat Annie Sails Again (Warner Bros. Pictures)	Globe
Prairie Schooners (Columbia Pictures) (a)	Bryant
Missing People (Monogram Pictures) (a)	Central
They Know What They Wanted (Warner Bros. Pictures) (a-b)	Central
A Little Bit of Heaven (Universal Pictures) (a-b)	Palace

◆ TWO-A-DAY RUN ◆

The Great Dictator (United Artists-Chaplin)—5th week. Astor

◆ FOREIGN LANGUAGE FEATURES ◆

The Baker's Wife (The Baker's Wife Co.)—36th week	World
Two Women (Paragon Pictures)—2nd week	55th St. Playhouse
Mayrizing to Sarajevo (Go Films)—2nd week	Little Carnegie
Heritage (French Cinema Center)—2nd week	Belmont
Primavera d'Amore (Italian feature)	Cine Roma
Melodias de Antonio	48th St. Theater

◆ FUTURE OPENINGS ◆

Fantasia (Walt Disney)—Nov. 13 (e)	Broadway
You'll Find Out (RKO Radio Pictures)—Nov. 14	Roxo
Bitter Sweet (Metro-Goldwyn-Mayer Pictures) (c)	Music Hall
The Merry Wives (Edgar Lloyd)—Nov. 11	Bryant
Kill Murder (Metro-Goldwyn-Mayer)—Nov. 13	Criterion
Angels Over Broadway (Columbia Pictures)—Nov. 16	Globe
The Letter (Warner Bros. Pictures)—Nov. 22	Strand
Seven Sinners (Universal Pictures) (c)	Rivoli
Down Argentine Way (Twentieth Century-Fox)—Nov. 14 (a-b)	Palace
Youth Will Be Served (Twentieth Century-Fox)—Nov. 14 (c)	Palace
The Kiss of Fire (Hakim Bros.)—Nov. 19	Little Carnegie

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous unreserved. (e) Two-a-day run.

Lieut. William Chambliss On Active Naval Service

William Chambliss, 20th-Fox publicity department contact with the New York newspapers, starts active service today with the Naval Air Force. Chambliss is a lieutenant, and for the past few years has been flying a dive bomber. He left the film company as of Friday with indefinite leave of absence granted to him by Charles E. McCarthy, publicity and advertising director.

Earl Wingart, of the publicity department, will handle Chambliss duties in his absence. It was also announced that George Fraser, former head of Paramount's foreign publicity department, had joined the 20th-Fox publicity department. Chambliss will temporarily be on duty in New York and will then go to the Naval Air Force station in Jacksonville.

Illness of Counsel Halts LaCrosse Trust Suit Trial

Madison, Wis.—Federal Judge Patrick T. Stone has postponed indefinitely the hearing in the \$1,476,000 action of the LaCrosse Theaters Co. vs. Paramount, United Artists, 20th Century-Fox, Minnesota Amusement Co., and Welworth Theater Co., now in its second week in U. S. District Court, due to the sudden illness of Robert A. Hess, Milwaukee, counsel for the plaintiff. Hess became ill at a local restaurant and was taken to the Methodist Hospital.

N. Y. Film Bill Sponsors Re-named to Legislature

Albany—Figures well known in exhibit and distributing circles as sponsors of bills affecting the industry were generally elected in last week's legislative contests, the chief casualty being Assemblyman Joseph Teagle of Queens, author of several billboard restriction measures. Teagle was toppled by Robert Archinal.

Sen. Phelps Phelps, New York Democrat and Assemblyman Bob Crews, Brooklyn Republican, co-authors of the full crews or "two-men-in-a-booth" bill, will be back in their seats for the 1941-42 sessions, as will Sen. William T. Condon of Westchester County, who hopped a stringent projection booth safety bill during the last session.

Assemblyman Anthony J. Canney of Buffalo, sponsor of anti-Ascap legislation, however, retired to accept a state position, while Sen. Thomas C. Desmond of Newburgh and Assemblyman Abbot Low Moffat of New York, who authored the housing bills which permit cities to help defray costs by taxing one cent on the first 50 cents, were also returned to office.

Virginia MPTO to Meet In Washington Feb. 2-3

Richmond, Va.—Winter convention of the MPTO of Virginia will be held at the Shoreham Hotel, Washington, D. C., on Feb. 2-3.

It's "Behind the News"

Hollywood—Republic has changed the title of "The Flagpole Needs a Flag" to "Behind the News."

COMING and GOING

HERMAN WOBBER, general manager of distribution for 20th-Fox, arrived in Los Angeles over the week-end from San Francisco.

LOUIS DE ROCHEMONT is expected to return to New York this week from Canada.

ROBERT SMELTZER, Central district manager for Warners; WOLFE COHEN, Canadian district manager; HENRY HERBEL, West Coast district manager; JAMES WINN, Prairie district manager; FRANK JACK, Southern district manager; RUD LOHRENTZ, Midwest district manager; and ED SCHNITZER, Eastern district manager, were in New York last week for home office huddles.

HARRY BRAND, studio publicity director for 20th-Fox, returned to the Coast over the week-end after a short stay in New York.

GARSON KANIN has returned to Hollywood.

F. L. HARLEY, managing director in Great Britain for 20th-Fox, is expected here next month from London.

KENNY BAKER and his wife are at the Warwick.

SINCLAIR LEWIS arrived here over the week-end.

IRVING BERLIN, MRS. BERLIN, GLORIA SWANSON and ALICE DUER MILLER, sailed Saturday on the America for a West Indies cruise.

BETTY GRABLE arrived here Saturday morning from Hollywood.

NUNNALLY JOHNSON, 20th-Fox associate producer and writer, returns to the Coast this week.

NORMA SHEARER is here from the Coast.

LORETTA YOUNG arrived in Hollywood yesterday from New York.

WILLIAM DIETERLE, arrived in New York on Friday for a two-week vacation.

VICTOR MATURE arrives in New York from Hollywood today, preparatory to assuming a stellar role in a Broadway play.

DOROTHY PETERSON arrived here from the Coast at the week-end.

JOHN W. CONSIDINE and ARTHUR FREED, Metro producers, are on their way back to Hollywood from New York.

KENNETH MCKENNA, head of Metro's story department, is here from the Coast studios.

LILLIAN DAY has returned from the Coast where she made a preliminary adaptation of her story, "The Youngest Profession."

Wobber at 20th-Fox Studio For Production Conference

West Coast Bureau OF THE FILM DAILY

Hollywood—Herman Wobber, general manager of distribution for 20th-Fox, arrived at the studio over the week-end for a week-long conference with production head Darryl F. Zanuck and other studio officials. He will look over new releases and discuss product plans.



THE FILM DAILY to
Rofand Yang
Pat O'Brien
Edwin Knopf
Raquel Torres
Dave Weshner
Bruce C. Coleman
Ruth Weil

**TECHNICOLOR
MARCHES ON!**

Hollywood's Top Current Productions
Bear the **Magic Brush** of Technicolor

- BITTERSWEET
- CHAD HANNA
- DOWN ARGENTINE WAY
- FANTASIA
- NORTH WEST MOUNTED POLICE
- SHEPHERD OF THE HILLS
- THE SOUTHERNER
- THE THIEF OF BAGDAD
- WESTERN UNION

TECHNICOLOR MOTION PICTURE CORPORATION

HERBERT T. KALMUS, President

Times Pix Review Brings Picketing

(Continued from Page 1)

advertising the film and the theater. Heymann, indignant, immediately struck the Belmont Theater name from the signs.

Finally Heymann called off the picketing when it became a question of whether or not the police would arrest him after his attorney had been consulted. Later in the day Heymann issued a statement which concluded by saying that "Literary gymnastics were one thing, but sound criticism another." He stressed the fact that a motion picture critic assumed a grave responsibility. Heymann's special ire was directed at one line in the Times review which said "the story is turgid and silly—a drag."

Crowther had no comment when reached on the phone.

Lipton Leaves "U" Dec. 14; Takes Columbia Post Jan. 2

(Continued from Page 1)

publicity director at that studio, and on Jan. 2 will assume his new duties as director of advertising-exploitation and publicity for Columbia Pictures Corp. at the home office.

In the latter position, Lipton succeeds Maurice A. Bergman who recently resigned to accept the post of advertising director under Charles McCarthy at 20th-Fox, commencing Dec. 2.

Lipton, prior to joining Universal, had a special public relations assignment with CBS, and previously spent some 13 years in the advertising department of B & K in both Chicago and Detroit.

Henie Suit Verdict Sealed

A sealed verdict was ordered by New York Supreme Court Justice Aron Steuer after the jury in the suit of Richard R. Scanlon against Sonja Henie was deadlocked for over six hours on Friday. The verdict will be handed up tomorrow. Scanlon is suing for \$92,000 damages, claiming to have secured the defendant's motion picture contract.

Metro Closing at 1 p.m.

Metro's home office closes at 1 p.m. today in observance of Armistice Day. Home offices generally, however, will be open all day.

WEDDING BELLS

Dixie Dunbar, screen and stage actress who is currently fulfilling an engagement in Philadelphia, and Gene Snyder, co-director of the Radio City Music Hall's Rockettes, have not yet determined the date of their wedding. Couple obtained a marriage license last week at the Southampton, L. I., Town Clerk's office.



● ● ● EVERYTHING is set for the launching Thursday..... of the three-day annual conference of the National Board of Review..... in the Hotel Pennsylvania..... Theme of the gathering is "New Frontiers for American Movies"..... in the light of now-extant disappearance of many rich foreign markets..... Opening day's highspot is special showing of Walt Disney's "Fantasia"..... and that evening at N.Y.U. the delegates'll see Joris Ivens' documentary, "Power and the Land"..... Friday will be chiefly devoted to meetings..... As usual, the Saturday a.m. session belongs to the Young Reviewers and their affiliates of the 4-Star Club.... Valedictory is the customary celebrity luncheon....

● ● ● SO many of our industry-ites..... are doing praise-worthy acts in our national emergency..... that our coveted Order of Applause (with two palms) is difficult to withhold..... But we can't help drawing on the scarce supply..... to dole the decoration out to that stalwart and ultra-patriotic citizen of the Southwest, Col. Nathan Greer of Gibraltar Enterprises, Inc..... who has donated to Santa Fe's junior and senior high school students two pamphlets..... "Your Rights Under the Constitution" and "The U. S."..... These pamphlets will be used as supplementary textbooks..... Said Superintendent of Schools R. P. Sweeney:..... "It's about time we had some Americanism instruction for children, instead of the foreign 'isms' which seem to have been indoctrinated into many".....

● ● ● MAJOR A. G. RUDD of the Embassy Newsreel Theaters..... is gratified at the accuracy of that circuit's New York City pin poll..... conducted acent the recent election..... The poll was 99½ per cent correct..... which is three-fiftieths of one per cent "purer" than Ivory Soap..... Poll started on Oct. 24 and continued to Election Eve..... "Votes" were recorded on the basis of the public selecting either an F.D.R. or W.L.W. pin.....

● ● ● ALL the excitement this past week up New Haven way..... wasn't the election nor the Yale Bowl tussle 'twixt Ducky Pond's eleven and the Big Red from Ithaca..... Don't forget there was also the gala house party which Harry L. Lavietes, operator of the Pequot Theater, hosted in celebration of his 25th wedding anniversary.....

½ ● ● STUFF:..... Broadcast Music, Inc., has just published "My Heritage" based on the song of the new film "Heritage" at the Belmont Theater..... National Screen Service cagers and the quintette of M-G-M will play what looms as a whirlwind basketball game at Heckscher Foundation, 1 East 104th St., on Saturday night, Nov. 23,—to be followed by a dance..... Harry Keller has taken up his new post as public relations solon for Colgate-Palmolive-Peet o'er in Jersey City, and will handle that organization's nine network radio shows as part of his duties (congrats to the company, and that ain't no soap)..... Bob Finkel, son of William Finkel the vet exhib. who operates the Arcade and Colonial Theaters in Pittsburgh, is playing the leading role in the first Pittsburgh Playhouse production of the season, "See My Lawyer"..... Herman Weissman is getting set to put "The Bridge of San Luis Rey" in Hollywood production shortly, with certain location shots in Mexico planned.....

DATE BOOK

Today: A F of L convention opens, New Orleans.
Nov. 12: Dramatists Guild annual meeting.
Nov. 13: Canadian Picture Pioneers convention Royal York Hotel, Toronto.
Nov. 14-16: National Board of Review of Motion Pictures annual conference, Hotel Pennsylvania.
Nov. 15: Cleveland Film Exchange Employees Local B-5 dance, Moose Temple.
Nov. 15-16: Republic regional meeting, Toronto.
Nov. 16: Washington Variety Club dinner, Willard Hotel.
Nov. 16: Boston Motion Picture Salesmen's Club dinner dance, Southland.
Nov. 17-18: ITO of Arkansas convention, Hotel Marion, Little Rock.
Nov. 19: UA stockholders' meeting, Hollywood.
Nov. 19: Republic regional meeting, Chicago.
Nov. 20: Dave Miller testimonial dinner, Hollenden Hotel, Cleveland, O.
Nov. 20: Republic regional meeting, Memphis.
Nov. 21: Motion Picture Associates ball, Hotel Astor.
Nov. 23: New York Warner Club dinner-dance, Hotel Commodore.
Nov. 25-26: ATOI convention, Hotel Antlers, Indianapolis.
Nov. 29: Chicago Warner Club dinner dance, Terrace Casino, Hotel Morrison.
Nov. 30: Dave Miller testimonial dinner, Hollenden Hotel, Cleveland.
Dec. 1-2: MPTO of North and South Carolina convention, Charlotte Hotel, Charlotte.
Dec. 2: Philadelphia MP Associates dinner, Alitonia Club, Harrisburg.
Dec. 9: Warner Bros. stockholders' meeting, Wilmington, Del.
Dec. 12: Philly Variety Club dinner, the Bellevue-Stratford.
Dec. 13: B & K Employees' Association dinner dance, Stevens Hotel.
Feb. 2-3: Virginia MPTO Winter convention, Shoreham Hotel, Washington.
May 5-8: SMPE Spring convention, Sagamore Hotel, Rochester.

Conn. Allied to Appear At Hearing on Decree

(Continued from Page 1)

the consent decree, and appoint a committee of members to represent it at Thursday's hearing before Federal Judge Henry W. Goddard in New York.

Alfred Alschuler Dead

Chicago—Alfred S. Alschuler, veteran theater architect, died here at the week-end. He is survived by his wife and five children. Funeral services will be held at the North Shore Church, Glencoe.

STORKS!

Goshen, Ind.—Roy Hanson, manager of the Jefferson Theater of the Indiana-Illinois circuit, has a new daughter, Susan Mary Hanson.

Hammond, Ind.—Henry Giertych of Warners' Parthenon Theater is passing out cigars to mark the advent of twins.

Chicago—Joe Anderson, assistant manager of B & K's Belmont Theater reports the arrival of his first born, a 7½-pound son.



SMPE Spring Meeting In Rochester May 5-8

(Continued from Page 1)

ing on a plan for the Spring Convention to overlap by one day the meeting in Rochester of the Acoustical Society of America. Whether the latter will conclude its sessions so as to then immediately participate in the proceedings of SMPE, or will have their conclave follow the SMPE huddles is being considered.

The Rochester meeting of SMPE will be the first over which its new head, Emery Huse, West Coast manager of Eastman Kodak's motion picture film department, will preside. Huse was elected president of SMPE at the recent Fall Convention held in Hollywood's Roosevelt Hotel to succeed E. A. Williford.

One of the features of the Rochester conclave, and one which has suggested the advisability of the Acoustical Society event overlapping, is expected to be a special demonstration of Stereophonic sound. Bell Telephone Labs. and Erpi officials are being approached to make this demonstration possible, it is understood.

Efforts are being made by SMPE for the Spring Convention to be the largest in the organization's history, and this is held virtually assured by virtue of the fact that the gathering will take place in the home city of Eastman Kodak and will have that company's support.

Venezuela Proposes Film Import License

(Continued from Page 1)

posed a measure stipulating that distributors must have import licenses in order to get an official rate of exchange, it was learned yesterday.

How soon the license measure may be put into effect was unknown. It was also predicted that other districts in the country would follow the lead of the Venezuela district in imposing censorship restrictions.

Sonovox Demonstration at Reception for Kyser

RKO Radio is holding a reception for Kay Kyser and His College of Musical Knowledge this afternoon at the Starlight Roof of the Waldorf-Astoria. At it, Gilbert Wright, son of the novelist Harold Bell Wright, will conduct a demonstration of Sonovox, his new development in sound. Sonovox will be used for the first time on the screen in Kay Kyser's "You'll Find Out," which opens on Thursday at the Roxy.

Wotta Show! ! !

Manchester, N. H.—Credit the State Theater here for one of the latest double billing gems, as follows:
"They Know What They Wanted—Seven Sinners"



REVIEWS OF THE NEW FILMS



"Prairie Schooners"

with Bill Elliott, Evelyn Young, Dub Taylor
Columbia 58 Mins.

WEAK WESTERN WITH VERY POOR
SCRIPT IS BELOW PAR FOR ELLIOTT
SERIES.

Hampered mainly by a very poor script, this new release in Columbia's western series starring Bill Elliott is under par. The story is a little different from the usual run-of-the-mill western material, but some stupid and implausible scenes pull it down. The Elliott and western fans will be disappointed with this one.

It tells the story of Elliott's leading a migration of farmers through Indian country into new farm lands in Colorado. But apart from some interesting stock shots the continuity is bad and the cuts don't match when you look at them on the screen. Elliott is satisfactory as Wild Bill Hickok, gun fighter and plainsman. Evelyn Young fills the heroine's role adequately; Dub Taylor continues his role as stooge for Elliott; and the menace is provided by Kenneth Harlan and Ray Teal. Sam Nelson directed.

Harlan cracks down on the bankrupt farmers' working land he has mortgages on. Miss Young helps the farmers as much as she can, but upon Elliott's suggestion they all pack up and head West under his guidance. Harlan and Teal incite an Indian uprising, but Elliott also manages to handle this.

CAST: Bill Elliott, Evelyn Young, Dub Taylor, Kenneth Harlan, Ray Teal, Bob Burns, Netta Packer, Richard Fiske, Edmund Cobb, Jim Thorpe.

CREDITS: Produced by Columbia; Director, Sam Nelson; Screenplay, Robert L. Johnson and Fred Myton; Story, George C. Franklin; Cameraman, George Meehan; Editor, Al Clark.

DIRECTION, Adequate. PHOTOGRAPHY, Okay.

Value of U. S. Films Imported by N. Z. Drops

Washington Bureau of THE FILM DAILY

Washington—For the first six months of 1940 the value of films imported from the U. S. by New Zealand dropped 8 per cent from the value of the imports for the first six months of 1939, and 28.3 per cent from the value for the same period in 1938, it is reported by the American Consul at Wellington.

Distributors and exhibitors report an increasing trend away from serials, westerns, war and gangster pictures in favor of light comedies, even in Maori communities where westerns were formerly extremely popular.

Atchison Option to Williams

Oklahoma City—John Atchison, operator of the Palace, Skiatook, has made a booking arrangement with the K. Lee Williams Theaters, Inc., of Oklahoma City, which includes a six months' option by the theater circuit for purchase of the house from Atchison.

"Calling All Husbands"

with Ernest Truex, Lucile Fairbanks, George Tobias

Warners 63 Mins.

MEDIOCRE COMEDY HAS WEAK
STORY THAT DEFEATS BEST EFFORTS
OF CAST.

Mighty few laughs are contained in this mediocre comedy, and that lets it out. The story construction is weak and the dialogue fails to help much. The cast is all right and the technical aspects of the picture are okay.

Ernest Truex, George Tobias, Lucile Fairbanks, Florence Bates and George Reeves head the cast. Truex gives the best performance of the lot. Noel Smith directed.

Truex is continually beaten around verbally by his domineering wife, Miss Bates, who compares him to her old sweetheart, Tobias. She also frowns on the marriage of their daughter, Miss Fairbanks, to Reeves. Finally Truex discovers that with a few drinks under his belt his courage mounts, and before long he also proves Tobias to be a crook and puts his wife in her place for all time. Trite plot lacks new twists in treatment.

CAST: Ernest Truex, George Tobias, Lucile Fairbanks, George Reeves, Florence Bates, Charles Halton, Virginia Sale, John Alexander, Clem Bevans, Sam McDaniel, Elliot Sullivan.

CREDITS: Associate Producer, William Jacobs; Director, Noel Smith; Screenplay, Robert E. Kent; From a play by Martin Flavin; Cameraman, Ted McCord; Editor, Frank Magee.

DIRECTION, Okay. PHOTOGRAPHY, Good.

Early Closing Orders Irking British Exhibs.

London (By Air Mail)—British exhibitors in various sections of the country are concerned over the growing orders for early closing hours which are now being introduced into cinema licenses. They are particularly irked in locations where, while they must close at 9:30 p.m., dance halls and other licensed premises are permitted to remain open until 10:30.

The CEA exec. committee has asked the Ministry of Home Defense for an interview on the subject. The North Western branch, at its Liverpool meeting, will voice opposition to any attempt to include a fixed closing time in licenses for the coming year for theaters in that branch.

Smilay on Draft Board

Detroit—Harold H. Smilay, partner in Associated Theaters, has been named to the Advisory Draft Board for Detroit by Gov. Luren D. Dickson.

Tim Durant Recovers

Chicago—Tim Durant has recovered his health and will soon return to the film production activities.

☆ SHORTS ☆

"Waldo's Last Stand" 11 mins.

Moderately Amusing
Our Gang is back at its old stand in this short. The gang decides to promote the lemonade business of a friend by putting on a floor show. An old barn is fixed up and the entertainment is lined up, but only one potential customer shows up, and he leaves without buying any lemonade. Finally it dawns on the gang that all the kids in the neighborhood are working in their "night club."

"Old New Mexico" 9 mins.

Fair Travelogue
Continuing his travels around the United States, James A. FitzPatrick focuses his cameras on the New Mexico landscape in this release, with just a fair amount of interest. Reel depicts some of the more interesting spots in the state topographically, and then devotes considerable footage to Indian pueblos and the Navajos.

"Goin' Fishin'" 10 mins.

Very Funny
The Our Gang kids set out on a fishing expedition which has hilarious consequences. Laden down with equipment of every description, they finally board a bus. At first the fares can't be found, then the bus is found going the wrong way. The bus conductor finally gives them their fares back to get rid of them. Rate it as very funny.

Wanger and Selznick Pix Get Added Mexican Time

Mexico City (By Air Mail)—Walter Wanger's "Foreign Correspondent" was held a second week at the Teatro Alameda, Mexico's chief de luxe house with 3,600 seats. David O. Selznick's "Rebecca" continues to attract the crowds here in such a spectacular manner that the third-run Balmori house was forced to hold it over for a second week, the second picture ever to play two consecutive weeks in this smart neighborhood spot in the last two years. "Rebecca" previously had played four weeks at the Teatro Alameda, the first picture ever to have stayed so long at this theater, and remained two weeks at the second-run Colonial Theater, which seats 7,200.

Joe Stout's Father Dead

Chicago—J. F. Stout, father of Joseph Stout, shorts booker for the Balaban & Katz circuit, is dead. Burial takes place at Chrisman.

Regional Arbitration Setup by Feb. 1

(Continued from Page 1)

1, although Judge Goddard may announce his selection of the board members shortly after he takes formal action on the decree.

It is estimated that it will take approximately two months to line up the regional boards, the task falling largely on the shoulders of J. Noble Braden, executive secretary of the American Arbitration Assn.

Kirsch Not to Appear At Decree Hearing

Chicago—Jack Kirsch, proxy of Illinois, will not go to New York to appear at the consent decree hearing before Judge Henry W. Goddard on Thursday. He stated that his unit endorses the stand of national Allied fully.

Nothing of importance, he stated, was transacted at the board meeting of Allied.

Examine 20th-Fox Execs. In Messeri Suit Nov. 26

New York Supreme Court Justice Isidor Wasservogel on Friday ordered Sidney R. Kent, Walter J. Hutchinson and Ben Miggins, of 20th-Fox, to appear for examination before trial on Nov. 26. The examinations are in connection with the suit of Marion Palmer, assignee of Moses J. Messeri, for \$6,112 damages. Messeri, who was the film company's Spanish representative, until May 1940, claims an unpaid balance on his salary.

Frank Shay Acquires Theater

Schenectady—Metro Theater here, formerly called Mount Pleasant and operated by Morris Silverman, has been taken over by Frank Shay, who was city manager for Fabian Theater in Cohoes until recently. Shay will rename house the Crane to conform with street.

Iris Adrian for Two Pix

West Coast Bureau of THE FILM DAILY
Hollywood—Iris Adrian has been signed by Paramount to play important roles in "The Road to Zanzibar" and "New York Town." Deal was set by Louis Irwin.

Duals at Dime in Cuba

Havana (By Air Mail)—Favorite theater of the Smith circuit offers duals at 10 cents on Fridays.

"Grapes of Wrath" Given Ampa Award

Twentieth Century-Fox' production of "The Grapes of Wrath" received the AMPA and Book and Magazine Guild's jointly awarded plaque as the best motion picture made from a book during 1940. Nunnally Johnson, who wrote the screenplay of the John Steinbeck novel, received the award on behalf of 20th-Fox at the Book Ball Friday night.

Keijo Theaters Still Showing U. S. Films Despite Exhib. Pact to Stop Foreign Pix

Washington Bureau of THE FILM DAILY

Washington—American pictures are still being shown in Keijo, Chosen, despite the decision of exhibitors there to stop showing all foreign pictures after Nov. 1, and the prohibition is apt to be postponed for several months to come, according to the U. S. Consul General in Keijo.

Films are not imported directly by Chosen, but through Japan. American films are preferred by the public, the report states, though there is no discrimination against any foreign pictures.

Loew's Amortizing Table Now Shows 75% Domestic

(Continued from Page 1)

be reallocated in the proportion of 75 per cent to domestic distribution and 25 per cent to foreign distribution, instead of the previous respective allocations of 70 per cent and 30 per cent.

Detroit Screening Room to Be Enlarged Under Decree

Detroit—Detroit will be adequately provided for in seating capacity for the flood of trade showings under the consent decree's new Block-of-Five selling policy, interview with Max Blumenthal, manager of the Film Exchange projection room, disclosed.

Blumenthal's present room, used for all screenings by the censor and by all exchanges except Paramount and 20th-Fox, holds 60 persons, but provision for expansion is now being made by Blumenthal, up to any size to be required under the new trade showing policy.

Local sentiment appears to be strongly against theater screenings. Past experience has shown a heavy preponderance of "patrons" from outside show business at these events, despite enforcement of usual restrictions.

Platt Handling Stage Bookings for B & K

Chicago—Nate Platt will supervise Balaban & Katz stage bookings, formerly handled by the late Max Turner, until a new chief booker is appointed.

At the RKO Radio Studios

West Coast Bureau of THE FILM DAILY
Hollywood—Cary Grant will probably play opposite Irene Dunne in "Week-End for Three" for RKO. The studio has bought James Gow and Arnaud d'Usseau's "Repent at Leisure." Jerry Cady is making the adaptation. Lewis Milestone, who will direct "Palm Beach Limited," has left for New York.

Metro Studio News

West Coast Bureau of THE FILM DAILY
Hollywood—Nydia Westman and Chris-Pin Martin have been added to the cast of Metro's Wallace Berry starrer, "Bad Man." Studio is considering filming "Billy the Kid," new Robert Taylor vehicle, in Technicolor. Metro has bought "The Sun's in the West," by Richard Carroll and Betty Hopkins.

Majors Confer on U.K. Monetary Remittances

Discussions relative to monetary remittances from the United Kingdom were held Friday morning by heads of major company foreign departments and by company presidents in the afternoon. Details were not revealed.

It is understood that prior to the meeting Will H. Hays, MPPDA presy, had conferred with Joseph P. Kennedy, U. S. ambassador to the Court of St. James, by telephone.

MPPDA board took no action on the agreement to restore the ban on the use of star ratings in advertising due to the absence from New York of Prexy Barney Balaban of Paramount.

Capra Resumes Shooting Of "John Doe" Wednesday

West Coast Bureau of THE FILM DAILY

Hollywood—Frank Capra will resume filming of "Meet John Doe" at Warners' studios Wednesday when he returns from his duck hunt at Klamath Falls, Ore. The players to be cast for the new scenes will be announced on his return. Two days' shooting is indicated.

Henry E. Jewett, Actor, Dies

Henry E. Jewett, retired actor and theatrical producer, died on Friday at his home near Scarsdale. He was the son of Henry Jewett and Maggie Knight Jewett, Australian players, who came to the U. S. when their son was 13. He is survived by his widow.

20th-Fox Signs Cobina Wright, Jr.

West Coast Bureau of THE FILM DAILY

Hollywood—Cobina Wright, Jr., 18-year-old singer, has been signed by 20th Century-Fox for a leading role in "Murder Among Friends" with Marjorie Weaver, John Hubbard and Mona Barrie. Ray McCarey will direct.

Republic Signs Roger Pryor

West Coast Bureau of THE FILM DAILY

Hollywood—Republic has signed Roger Pryor for the heavy lead in "Bowery Boy," which William Morgan is directing with Dennis O'Keefe and Louise Campbell in the leads.

Batson on "Jungle Girl"

West Coast Bureau of THE FILM DAILY

Hollywood—Alfred Batson, author of the best seller, "African Intrigue," has been signed by Republic to write "Jungle Girl," a serial. The book is by Edgar Rice Burroughs.

Discuss Greater Para. Partner "Cohesion"

(Continued from Page 1)

and left Saturday for further talks in Hollywood were Sam Dembow, Leonard Goldenson, Leon Netter, Robert Weitman and Claude Lee, all of New York; Earl Hudson, Detroit; R. J. O'Donnell, Dallas; M. A. Lightman, Memphis; J. J. Friedl, Minneapolis; Tracy Barham, Cincinnati; Harry Neece, Phoenix; Harry David, Salt Lake City; J. J. Fitzgibbon, Toronto; A. H. Blank and Ralph Branton, Des Moines; M. J. Mullin and Sam Pinski, Boston; John Balaban and J. P. Rubens, Chicago.

Hearst Claims Animals Maltreated in Pictures

William Randolph Hearst, in his syndicated column, In the News, on Friday blasted at alleged maltreatment of animals in motion pictures, especially Westerns. Hearst criticized the California legislature for not appropriating money to enforce an animal protective law on the books and accused the SPCA of negligence.

Sunday Films Win Okay Of Curwensville Voters

Pittsburgh—Add Curwensville to the list of state towns which legalized Sunday films. First ballot count had indicated defeat of the measure.

To Start Seven for PRC

West Coast Bureau of THE FILM DAILY

Hollywood—Seven features, two of them Westerns, for PRC distribution, will go into production during the current month, according to Prexy Harry Rathner, who returns to New York next week. PRC has opened branch offices in Seattle and Portland, Ore., making a total of 25 exchanges now operating.

Para. Signs Constance Moore

Hollywood—Paramount has signed Constance Moore to a term contract. Her first picture under new pact will be "Las Vegas Nights" with Allan Jones, replacing Ellen Drew. Studio has also signed Catherine Craig to a term contract.

Chi. Likes "Meet the People"

Chicago—"Meet the People," Hollywood Theater Alliance show, will stay at the Grand Theater here until Dec. 22, after which it will go to a Shubert theater in New York City for an extended run.

Brazilian Projector Tradedown in B. A.

Buenos Aires (By Air Mail)—Brazilian equipment firm of Byington & Co. is introducing a new projector, developed in Brazil. Projector was tradedown at a local industrial exhibition.

In the past, projectors in South America have been imported from the U. S. and Germany.

Only 76 Theaters To Get "Fantasia"

(Continued from Page 1)

Wednesday and is expected to remain more than a year. Second engagement has been set for Dec. 27 in Los Angeles. Other early bookings include Chicago, Boston, San Francisco, Philadelphia, Salt Lake City and Seattle.

Form Company to Release Popkin's All-Negro Films

Albany—Million Dollar Distributing Corp. of New York has been chartered by the Secretary of State's office. Firm was authorized to issue 200 shares of no par value stock. Subscribers are Abraham A. Levine, 630 Ninth Ave., New York City; and Estelle List and Frank E. Williams, 505 Fifth Ave., New York City.

Filing counsel for Million Dollar Distributing Corp., Irving Levine, said on the week-end that the new company will distribute in the East the all-Negro-cast features made on the West Coast by Harry Popkin.

Warner District Managers Return to Their Offices

Following home office meetings Wednesday, Thursday and Friday with Grad Sears, Carl Leserman and Mort Blumenstock on distribution and merchandising plans for forthcoming releases, Warner district managers returned to their respective territories over the week-end.

Among the company's features discussed were "The Letter," Somerset Maugham story starring Bette Davis; "The Lady with Red Hair," starring Miriam Hopkins; "Santa Fe Trail," starring Errol Flynn, and "Honeymoon for Three," starring Ann Sheridan and George Brent.

Ralph McCoy, Atlanta branch manager, was also in town for these discussions.

Kopf Leases Iris Theater

Benjamin Kopf has leased the 600-seat Iris Theater, 1767 Amsterdam Ave., to the Amsterdam Amusement Co., Inc., clients of Berk & Krumgold, film theater brokers, it was announced on the week-end.

The house, according to agents of the owner, has been remodeled by the new lessee.

Wanger Signs Barrett

West Coast Bureau of THE FILM DAILY Hollywood—William Hurd Barrett, magazine writer, has been signed by Walter Wanger to write the screen treatment of "The Eagle Squadron." Story will be based on the exploits and adventures of Americans flying with the Royal Air Force.

Si Rudnick Dead

New Haven—Si Rudnick, 46, stage employee at the Loew-Poli, here, for the past 10 years, died of a heart attack.

THE WEEK IN REVIEW

\$490,000 Arbitration Budget—New U. K. Offer

By L. H. MITCHELL

DOMESTIC

EQUITY SUIT: With \$375 seen as the minimum cost for an arbitration appeal under the rules in the consent decree, the arbitration budget was fixed at \$490,000. . . Various "pressure" groups—M. P. Research Council, P-TA, etc.—are still critical of the decree, but MPRC will not appear before Judge Henry W. Goddard Nov. 14 to oppose it. . . But a very remote chance was seen for any exhibitor, or other organization to intervene in the matter. . . The Government will drop individual defendants in its new complaint against United Artists, Universal and Columbia, the "Little Three," which refuse to accept the consent decree.

FINANCIAL: Paramount reported a nine-months' profit of \$4,810,000—nearly \$2,000,000 above its net for the same period in 1939. Its third-quarter net was \$1,726,000. . . RCA nine-months' net was \$5,713,943, with earnings on its common stock of \$0.238, just double the 1939 figure. . . RKO Radio reported a 39-week profit of \$317,186.

SUNDAY PIX: Harrisburg, Pa., defeated Sunday movies by a vote of 17,439 against to 15,574 in favor, but of the 147 towns to which the issue was submitted 47 of 83 that had previously prohibited theaters from opening on Sunday voted for the experiment. Of 11 spots which voted in Sunday pictures six years ago, six reversed their former verdict. . . Smithfield, R. I. okayed Sunday films. . . Westfield and Livingston, N. J., voted in favor of Sunday pictures, while Bridgeton, Woodbury, Paulsboro and North Ridgewood rejected them.

THIS AND THAT: Harry Brandt, ITOA proxy, urged a single real indie exhib unit. . . Actor's Equity voted in favor of Sunday legitimate performances in New York City, "Tobacco Road" being first to take advantage of the permission with a performance last night. . . Louisiana's anti-Ascap law was ruled out by the state's Supreme Court. . . Walter Gould was named to act as head of United Artists' foreign department. . .

United Amusement's Earnings Show Gain

Montreal — Earnings of United Amusement Corp. are moderately better in the year to date than in same period last year. In 1939 the company reported net profit of \$94,640 against \$85,467 in the preceding year. The company now operates 25 theaters in Montreal and other cities and towns of Quebec. This is a decrease of two units from 1939.

Program of renovation and modernization has been carried out during the year.

Boston's box office returns were said to be the best in five years. . . M-G-M will launch a second gala debut for "Gone With the Wind" next year, with Atlanta, among other cities, bidding for it on anniversary of its world premiere there. . . On Nov. 15 United Artists will ask dismissal of Samuel Goldwyn's suit seeking abrogation of his contract. . . Metro has 11 pictures ready for release—enough to carry it up to 1941. . . Pass issued by the License Commission in Lowell was used 84 times in 11 weeks at the same theater. Commission is fighting the Mayor's order revoking its power to issue passes indiscriminately. . . Constitutional amendment making money games legal in Oregon was defeated by the voters. . . Hitch in the pact between producers and the Dramatists Guild holding up film financing of Broadway play productions was overcome by negotiators. . . Robert Jackson, Attorney General, who headed the Government's equity suit against the majors, was reported slated for the U. S. Supreme Court. . . George Graves anti-trust suit against the majors was seen as being ended if referee approves acquisition of Graves' Carman Theater by Jay Emanuel.

FOREIGN

EUROPE: Report was current that Ambassador Kennedy brought back a remittance offer of \$12,000,000 from Great Britain. . . Future shipments of films to Sweden were seen as resting with the Soviets. . . Plan by which U. S. majors may send 80 features to Spain was under study.

Shipments of U. S. films to Switzerland were waiting on Britain's navicert decision. . . All Athens' theaters were closed, and all cinemas throughout Greece, were reported closed due to Italy's war against Greece.

THE AMERICAS: Clearance plan in Canada was reported as having hit a number of snags. . . U. S. pictures are replacing French films in Quebec theaters. . . Argentine producers were reported spinning the semi-official "co-ordination" plan for the film industry in that country.

Producers Laboratories Suing "U" on Film Title

Suit for an injunction to restrain use of the title "Hired Wife," and for an accounting, was filed Friday in the New York Supreme Court by Producers Laboratories, Inc., against Universal Pictures Co., Inc., Universal Film Exchanges, Inc., Big U Film Exchange, and Roxy Theaters, Inc. The plaintiff asserts that it is the owner of a film called "A Hired Wife" and therefore has priority rights to the title.

9,000 Film Theaters In Red Cross Drive

Between 8,000 and 9,000 motion picture theaters throughout the United States today are engaged in a two weeks' drive to help put over the Annual Roll Call of the American Red Cross. This Red Cross campaign to enroll members runs from Nov. 11-30 in most towns and cities. In some cities, the membership campaign will be conducted later, with the full co-operation of the local theaters at the time of the local drive to enroll members.

In some of the smaller towns no Red Cross membership campaign is conducted, which makes it impossible for the local theaters to extend this co-operation. Otherwise the actual theater co-operation is 100 per cent.

The Red Cross Roll Call is particularly important this year because of the added responsibilities placed upon the Red Cross by war relief activities.

Republic's Regional Sales Meet Opens Tomorrow

(Continued from Page 1)

tives will be Morris Epstein, New York branch manager; Max Gillis, Philadelphia branch manager; M. E. Morey, Boston branch manager; Sam Seletsky, New Haven branch manager; Jack Bellman, Buffalo branch manager; Arthur Newman, Albany branch manager; Sam Sepulwin, Detroit branch manager; Jas. H. Alexander and Sam Fineberg of the Pittsburgh branch, franchise holder and sales manager respectively; Sam and Jake Flax, Washington, franchise holders; Nat Leffton and Sam Gorrel of the Cleveland branch—franchise holder and branch manager respectively; and George H. Kirby, Cincinnati branch manager.

Other regional sales meetings are scheduled as follows: Toronto, Friday, Saturday; Chicago, Nov. 19, and Memphis, Nov. 20.



Amended Complaint Aimed at "Little 3"

(Continued from Page 1)

for leave to file the complaint was attached to the complaint itself.

The Government said that it was required to file the amended complaint because the consent decree grants relief not sought in the original complaint; that it was dropping all officers and directors and that it had acquired additional information since the filing of the original.

In addition to arbitration, the amended complaint demands an injunction to restrain alleged conspiracy, monopoly and for a decree abolishing integration of the three branches of the industry. No mention of the proposed consent decree is made in the body of the complaint but it is understood that the Government on approval of the consent decree will drop its case against the five negotiating companies.

The new complaint restates all charges of alleged unfair practices set forth in the original. Among those are the exclusion of talent from independent producers, uniform licensing terms and provisions on run, clearance and minimum admission prices, block booking and blind selling; the alleged discrimination in favor of circuits and against independents in selling practices. These practices, the complaint stated, are the granting of better terms on runs, clearance, delivery of prints to circuits and the enforcement against indies of forced shorts and newsreels, score charges overages and underages and the prohibition of double features.

Featured in the complaint is a list of alleged reasons why the Government contends that licensing contracts are illegal. These reasons are as follows: (1) That the fixing of license terms before the exhibitor has had an opportunity to view a film and estimate its value is unfair; (2) the fixing of clearance, run and minimum admission prices in licensing agreements covering large groups of pictures is improper; (3) the licensing of one or a number of films should not be conditioned on the licensing of another film or group; (4) that the licensing of film to one theater should not be conditioned upon the licensing of films to another theater; (5) that clearance agreements are improper when calculated "to suppress competition between exhibitors rather than to protect distribution revenue"; (6) the refusal to license a film for a run on any terms offered solely to protect an exhibitor from competition and (7) arbitrary withholding a print to give one exhibitor a prior playdate not provided for in an agreement.

A number of interesting statistics are set forth in the complaint. Total net worth of all companies except United Artists for 1939 is estimated to be \$547,000,000, while gross income for that year is stated by the Gov-

Four Griffith Oklahoma City Theaters Half Block Apart Use 1,144 Features Each Year

Oklahoma City, Okla.—To Griffith-Southwestern Theaters, Inc., should go some record for the number of feature pictures played at its four theaters on Reno Avenue, all located within half a block of each other. Houses are the Reno, Pix, Isis and Gaiety. They show 22 feature films a week for a total of 1,144 features a year. They are all 15-cent double bill houses, with the exception of the Gaiety which shows one feature with tabloid musical comedy on the stage.

M of T Canadian Subject For Release in December

Montreal—Release of the March of Time's film dealing with the Canadian war effort will take place in December, according to word here where one of the two camera crews has been active in photographing the local side of the Dominion's activities.

The camera crews have been traveling throughout the country taking pictures with official and civilian aid. One of the interesting shots is certain to be that of the Cabinet meeting in Ottawa.

Louis de Rochemont, editor of March of Time, is expected to arrive back in New York, this week, following personal supervision of location shots in Canada.

"A" Audience Reaction Guides "Ranch" Cutting

Reaction of a preview audience at Harry Zeitz's State theater, New Bedford, Mass., an "A" house, is guiding Republic in the final cutting of Gene Autry's \$500,000 pix, "Melody Ranch." Pix was sneaked there last week, with H. J. Yates, J. R. Grainger and M. J. Siegel present.

Fred Rowland to Operate Twin-Auditorium Bexley

Columbus, O.—Fred Rowland, operator of four local nabes has acquired operating rights to the Bexley Theater, Bexley. The five-year-old theater has twin auditoriums, plus projection and sound equipment designed by one of the owners, Theodore Lindenberg, Sr. According to authoritative sources, the lease specifies use of the special equipment. Rowland has the Parsons, Columbia, Main and Hollywood Theaters. House is closed at present, but is scheduled to reopen at once.

ernment to have been in excess of \$440,000,000. The Government also said that the five theater owning companies did 70% of total film rental business in the last five years, and the "little three" 25%. At the same time the five companies had 80% of Class A pictures and the "little three" 15%. During this period no other distributor had more than 1%, the Government asserted.

The amended complaint, which supersedes the original, is aimed at the little three inasmuch as it stresses illegality of alleged selling practices and asks for the creation of an arbitration system for the entire industry.

"Escape" Shaping Up as Strong B. O. Attraction

"Escape" has taken its place as one of the leading Fall b.o. attractions, with business far exceeding normal in each of its key city engagements to date, M-G-M reported over the week-end.

Opening business ranged up to 189 per cent over normal, at the Stanley, Philadelphia. At Loew's, Akron, the percentage was 147; State, Cleveland, 140; Regent, Harrisburg, 170; Colonial, Reading, 157; Loew's, Richmond, 130; Loew's, Wilmington, 159; Palace, Memphis, 173; Orpheum, Denver, 140, and Paramount, San Francisco, 145. At the Music Hall, N. Y., and the United Artists, Detroit, the film is now in its second week.

20th-Fox Closes Deals With Canadian Circuits

Toronto—Circuit deals with Western Theaters Ltd., Sharp circuit. Famous Players and Bernstein & Lieberman, have been closed by 20th-Fox district manager J. P. O'Lothlin. O'Lothlin was in New York for a few days last week, returning here Friday.

San Antonio High School Teaching Film Making

San Antonio—Assertedly first of its kind in the U. S., course in motion picture making, complete from script to finished film, has been established at Thomas Jefferson high school. Students prepare script, construct sets, make up, do acting and filming.

Present production under preparation is short adaptation of "Macbeth" for which Dunsany castle and other medieval Scottish sets are being constructed.

Incorporate Better Films

Albany, N. Y.—Film firms charted here recently by the Secretary of State's office include Better Films, Inc., authorized to issue 200 no par shares of stock. Subscribers were given as Florence Abramson, Ethel Davis and Peter A. Lewis, New York. Counsel filing was the firm of Phillips, Nizer, Benjamin and Krim.

"The Letter" Set In Frisco

Warners' "The Letter" has been set for a pre-release run at the Fox Theater in San Francisco starting Thursday. Bette Davis is starred. National release is set for Thanksgiving.

Student B. O. Prices Face Federal Tax

(Continued from Page 1)

when the regular price is 30 cents, the tax on the regular priced ticket must be added to the special priced ticket. In other words, a person eligible to enter a theater for 10 cents must pay a two, three or four cent tax, depending on the price scale of the house.

The letter, in part, reads: "Section 1700 of the Internal Revenue Code provides that in the case of persons (except bona fide employees, municipal officers on official business and children under 12 years of age) admitted free or at reduced rates to any place at a time when and under circumstances under which an admission charge is made to other persons, an equivalent tax shall be collected, based on the price so charged to such other persons for the same or similar accommodations.

"The setting aside of a certain section for students does not operate to exempt the students from the tax."

Newspaper Guild Support Nationally Pledged SPG

Complete support of the Newspaper Guild throughout the country was pledged last week to the Screen Publicists Guild in their negotiations with film companies for contracts. Jack Ryan, organizer of the Newspaper Guild, made the pledge at a meeting of the SPG eastern branch.

Sanborn Wins, James Loses In N. H. Councillor Race

Concord, N. Y.—Ansel N. Sanborn, film circuit operator in Wolfeboro, Centre Ossipee and Wakefield, was elected as a member of the Governor's Executive Council. He served as speaker of the House at the last session of the Legislature.

Stanley James of Nashua, former theater manager, was defeated by a slim margin, in another district's councillor race.

Chambrun-Maugham Reception

Jacques Chambrun and Warner Bros. will host a cocktail reception honoring W. Somerset Maugham on Wednesday afternoon in the Carlton Suite of the Hotel Ritz Carlton.

Mills Succeeds Roosevelt

Chicago — Fred Mills has been named as president of the Soundies Corp. of America, a subsidiary of Panorams, succeeding James Roosevelt.

M. P. Associates to Meet

Luncheon meeting of the Motion Picture Associates will be held tomorrow at 12:30 p.m. at the Astor. Ned E. Depinet and Andy W. Smith, Jr., will be guests at the luncheon.

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 94

NEW YORK, TUESDAY, NOVEMBER 12, 1940

TEN CENTS

PREDICT QUICK COURT APPROVAL FOR DECREE

Product Buying Spurts as Exhib. Lethargy Fades

Editorial

Very Smart ... Metro and GWTW

By CHESTER B. BAHN

STEALING Phil M. Daly's stuff with-
out so much as a by-your-leaves is the
Order of Applause with Two Palms is be-
stowed today upon Metro in recognition
of its plan to herald the general release
of David O. Selznick's "Gone With the
Wind" with an anniversary premiere in
Atlanta, scene of last December's original
gala "first night."

Very smart showmanship, that.

And for many reasons, not the least of
which, is of course, that it virtually guar-
antees national press attention and thus
assures country-wide interest anew in a
picture that, despite its reported \$23,500-
000 gross at advanced admission prices,
still has an estimated audience of 50,000-
000 waiting to get their first glimpse.

Just how much that figure will be in-
creased by the number of fans who will be
back for a second look-seen next Janu-
ary and later when reduced box-office
scales prevail is a matter of speculation.
Certainly, there will be tens of thousands
among the original audience of 20,000,000
who will repeat.

IT'S no secret that there has been lively
trade interest in just what Metro would
do to signalize GWTW's general release.
Inevitably, there were many guesses, all
concerned with the problem of re-kindling
public interest. But when Metro's move
was finally tipped last week by Howard
Dietz's department, there was quick ap-
preciation that the company had the right
answer.

A second premiere for a picture on its
first anniversary is both new and NEWS.

And these days, when there is such
tremendous pressure on the wires of the
news services and the columns of the
dailies, that is of first importance.

CHARLES H. RYAN, assistant Chicago
zone manager for Warner theaters,
in a recent Exploitation Bulletin for zone
managers, offers these observations,
based on long experience:

"Most movie patrons hate sadness more
than anything as a theme of a picture.
Every story should contain a champion
of the world—somebody who can't be licked
—somebody that fate and the lady will fail
for inevitably. Other than this theme, it
must be straightforwardly funny... If you
try to give the people the simple water they
are thirsting for with a fullness beyond
their expectations, the box-office returns
will look after themselves." Amen!

Normal Stage in Number of Deals Reached; Exchanges Report Contract Avalanche

New season product buying has
taken a sudden spurt in the last few
weeks, distributors report. While
buying is said to have started off
slowly, in some cases almost un-
precedented, contract signing has
been gathering momentum until the
situation today is reaching the nor-
mal stage in the number of deals.

One company which started its
selling nine weeks later than usual
(Continued on Page 8)

Film Regulation Board Under Fire

Pittsburgh—Proposed city ordi-
nance to prohibit amateur movie
camera addicts from showing their
films outside their own homes was
vigorously opposed and condemned
by prominent medical, industrial,
educational and civic leaders here at
a meeting held in the William Penn
Hotel. The ordinance, proposed by
Lawrence J. Katz, IATSE interna-
tional representative, provides for a
(Continued on Page 3)

Neely May Postpone Resigning from Senate

Washington Bureau of THE FILM DAILY
Washington—Sen. Matthew M.
Neely, block-booking bill sponsor,
may defer resigning his Senate seat
in favor of the Governorship of West
Virginia to which he was elected last
(Continued on Page 3)

AT&T Leaving Film Field? Reported Retaining Only Erpi Sound System

Para. Executive Meetings On Coast May be Extended

West Coast Bureau of THE FILM DAILY
Hollywood—Paramount's executive
meetings on sales and production
plans, which opened here yesterday,
will be extended beyond the present
week and perhaps longer.

Yesterday's opening sessions,
(Continued on Page 8)

"Bingo Only" Policy In 1-1 Circuit Spot

Michigan City, Ind.—The Indiana
and Illinois circuit has re-opened its
Uptown Theater with a Bingo game
instead of films. It will operate the
Bingo theater five days a week. Cir-
cuit has three other theaters here,
showing films.

Braden to Engage Arbitration Clerks

J. Noble Braden, executive secre-
tary of the American Arbitration
Ass'n, leaves Saturday on a trip
which will take him to the nation's
key cities where he will lay the
groundwork for the operation of the
industry's arbitration system. Braden
will hire a clerk and possibly one
assistant for each board.

Clerks will be selected by the same
standards as those in other lines of
industry. They must have no con-
(Continued on Page 8)

GWTW Returns to Atlanta Dec. 12 for Anniversary

GWTW will return to Loew's
Grand, Atlanta, on the anniversary
of its opening for a special limited
engagement on Dec. 12, it was an-
nounced yesterday by Metro. Pro-
ceeds will go to charity designated
by Atlanta officials.

While no stars have been espe-
cially invited to attend—the Atlanta
opening last year attracted a notable
(Continued on Page 3)

Finalization in 24 Hours Possible, Although Judge Goddard May Take Longer

Reliable reports indicated yester-
day that the consent decree in the
New York equity suit would be
signed and approved by Federal
Judge Henry W. Goddard on Fri-
day, the day after the public hear-
ing.

While these reports were from a
reliable source, it is believed in
some quarters that Judge Goddard
will require more than 24 hours to
consider the objections to the de-
cree. Protests are expected to be
lodged by attorneys for exhibitor
groups, although it is understood
that no oral objections will be voiced
and that Judge Goddard will base
(Continued on Page 3)

Armistice Day Biz Rises on Broadway

With yesterday's crowds on Broad-
way greater than they have been in
some years on Armistice Day, box-
offices all along the stem reflected
better biz than in 1939, managers at
the same time reporting big week-end
business. The Paramount, playing
NWMP, led the Broadway parade
with a new house record, claimed
for the week-end since inception of
(Continued on Page 8)

Second "AID" Report At Indiana Convention

Indianapolis—Report on Allied's
second national product survey by
Allied Information Dept. will be
submitted at the 14th annual con-
vention and trade show of Asso-
ciated Theater Owners of Indiana at
the Antlers Hotel here Nov. 25-26.
Convention will be addressed by
(Continued on Page 8)

Pa. Supreme Court Refuses EN Review

Alliquippa, Pa.—The State Superi-
or Court has refused to review the case of
J. C. Lund, movie owner here, convicted
of conducting a Bank Night and fined
\$500 and costs by Judge Frank E. Read-
er. Lund's appeal also was denied by
the Superior Court.

West Coast Bureau of THE FILM DAILY
Hollywood—It is reported that
the American Telephone & Telegraph
Co. is withdrawing from motion pic-
ture investments with the exception
of the film sound system of Electrical
Research Products, Inc. It is said
that the Eastern Service Studios on
Long Island, and General Service
Studios in Hollywood, owned by
Erpi, have been placed on the mar-
(Continued on Page 8)



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DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Monday, Nov. 11)

The New York stock markets were closed yesterday—Armistice Day.

Montreal Abolishes Film Censor Post

Montreal—Montreal City Council executive committee has decided to abolish the post of city motion picture censor left vacant by the death last week of Joseph Philias Filion, noted character actor.

Salary pertaining to the post was \$2,800 a year, which the city thinks worth while saving.

Union Guarantee Demand Bar to Stage Offerings

Cleveland — Because local Loew officials would not guarantee 20 weeks' work to local stagehands, there will be no spot booking of stage shows at Loew's State Theater this season.

"Hells Angels" to Wilby-Kinney

Streamlined version of "Hell's Angels" has been booked for first-run engagements over the entire Wilby-Kinney circuit of Charlotte, N. C. Deal was set following test engagements. Picture also will play most of the Wilby-Kinney second-runs. It is distributed by Astor Pictures Corp.

"James Lewis" as Lloyd "U" Pix

Hollywood—Acquiring the rights to "I, James Lewis" from Paramount, Frank Lloyd will make it for Universal release under his three-picture deal.

National Board Opens Conference to Public

For the first time, the annual conference of the National Board of Review of Motion Pictures which will bring delegates from 37 states to the Hotel Pennsylvania on Thursday, through Saturday, will be open to the public.

General conference theme to be introduced at the opening session Thursday morning, is "New Frontiers for American Movies." New York University will be host at the session of its motion picture course Thursday night.

Speakers Friday morning will be Judge Stephen S. Jackson of the Court of Domestic Relations, who will talk about children and the movies; Oliver T. Griswold, who will discuss Government films; and Vyvyan Donner, 20th-Fox fashion film expert. The afternoon session will open with Ilka Chase, to be followed by Margaret Farrand Thorp, author of "America at the Movies"; and Catherine Edwards, of Parents' Magazine. Audience polls for movies will be discussed by a representative of the Gallup Institute of Public Opinion.

The Saturday morning session belongs to the Young Reviewers and their public school affiliate groups, the Four Star Clubs. Films made by members are to be shown.

A celebrity luncheon on Saturday will close the conference.

Merrick-Alexander Will Make 6 Pix for Select

George Merrick and Max Alexander have signed to produce six pictures for distribution by Select Attractions, Inc. Charles Kranz, Select president, said that Merrick and Alexander would start work immediately on their first picture, "The Mask of Shame," and would follow with "The Right to Die" and "Decent." First release will be ready Dec. 30.

Select's policy is to offer an outlet to independent producers through the company's 20 exchanges.

"Dictator" Plays 111 Weeks in First 40 Engagements

In its first 40 engagements, Chaplin's "The Great Dictator" has played 111 weeks. UA reported yesterday. Home office said that all Loew theater engagements did unusually good biz in their second weeks, with Cleveland ringing up an all-time high of 357 per cent.

A. M. Goodman Recovering

Cleveland — United Artists report that Manager A. M. Goodman, who suffered a heart attack several weeks ago, is responding favorably to rest and is now sitting up for short periods at a time.

To Open In Batesville

Batesville, Ark. — New Melba, owned by Commonwealth Theater Corp., opens Nov. 27.

Col. Executives Off for "Arizona's" Tucson Debut

Columbia home office execs. have started leaving for the Tucson two-day celebration and five-fold premiere of "Arizona," Nov. 15 and 16. A. Montague, general sales manager and Rube Jackter, assistant, started for the Arizona city yesterday and Harry Cohn, now in New York, will head a contingent flying out tomorrow.

With Cohn will be Jack Cohn, N. B. Spingold, Louis Weinberg, Louis Astor and Max Weisfeldt. In Tucson they will meet Phil Dunas, Carl Shalit and Sam Galanty, division managers, and Wayne Ball, Los Angeles branch manager.

Siegel to Head Florida Circuit Opposing Sparks

Arthur J. Siegel, who recently resigned from Warners, will be the operating head of the newly organized St. Johns Amusement Corp. which is planning a string of first-run theaters throughout Florida, some of which will be in opposition to the Sparks circuit.

First of the new string will be the St. Johns, a 1,000 seater in Jacksonville, which will compete with Sparks. Latter circuit has not bought Warner product for more than 18 months.

Paramount Will Sell "Raggedy Ann" Separately

"Raggedy Ann," two-reel Max Fleischer cartoon, will be released by Paramount during the Easter season and will be sold separately from the shorts program. Short originally was scheduled for Christmas week release but was set back so as not to compete with the first "Superman" subject now being prepared by Fleischer.

State to Censor Slot Machine, 16 mm. Films

Albany—The State Education Department will assume review and license jurisdiction over all 16 mm. films and coin film machines "when exhibited in any place of amusement for pay or in connection with any business in the State of New York," as a result of a ruling by the Attorney General.

Di Pesa Fully Recovered

Boston—Joseph Di Pesa, veteran publicity man, dean of the New England picture show publicists, who had been ill for some time is fully restored to health and is back on the job. Di Pesa is press agent for the Mavens Loew theaters here, the State and the Orpheum.

Deutsch Sells to Bleier

Cleveland—Sam Deutsch has sold his interest in the Sun Theater to Edward Bleier and has moved to Warren to operate his bowling alleys.

COMING and GOING

F. J. A. MCCARTHY, Eastern and Southern division manager for Universal, left for Boston last night.

WILLIAM B. MORGAN, 20th-Fox foreign department executive, sails tomorrow for Trinidad.

JOHN WEXLEY, Warner writer, flew to the Coast yesterday after a vacation here.

HERBERT I. LEEDS, 20th-Fox director, arrived here yesterday from the Coast with MRS. LEEDS.

JOHN VAN DRUTEN arrived here yesterday from the Coast.

LEWIS MILESTONE is expected here today or tomorrow from Hollywood.

DOROTHY PETERSON is here from the Coast to appear in a stage play.

DONALD WOODS and GLEN JONES are at the Warwick.

DIOSA COSTELLO leaves for Hollywood Nov. 22.

ARNOLD BELCARD arrives here this week from the Coast.

JOSEPH P. KENNEDY is expected to go to the Coast this week-end.

GENE AUTRY is in Boston.

MRS. RICHARD MCCLURE, Chicago Film Council proxy, is in New York, to attend the National Board of Review Conference.

WILLIAM WALDHOLZ, in charge of motion picture distribution for the PHA, is leaving Sunday on a business trip to the Southern territory. He expects to be gone about four weeks.

20th-Fox Shifts Morgan To Trinidad Managership

William B. Morgan, managing director in France for 20th-Fox, has been temporarily appointed manager in Trinidad, it was announced yesterday by Walter J. Hutchinson, director of foreign distribution. Morgan sails tomorrow for Port-of-Spain where he will establish his headquarters.

J. V. O'Gara, former manager of Trinidad, has been appointed manager in Chile for the company, replacing A. Ruscica, who resigned. Duration of Morgan's stay in Trinidad hinges on the outcome of the European war, it was stated.

Bill Bennett Dead

Cleveland—Bill Bennett, 43, formerly connected with Associated Theaters Circuit as manager of the Union Square Theater, died at the home of his mother in Akron.

FRIENDLY SERVICE
SAVES TIME AND MONEY
AT
**Postal
Telegraph**



CHARGES FOR TELEGRAMS
'PHONED IN APPEAR ON YOUR
TELEPHONE BILL.

Film Regulation Board Under Fire

(Continued from Page 1)

Moving Picture Regulation Board, to be appointed by the Mayor consisting of a representative of the Building Inspection Bureau and a projectionist of at least 10 years' experience.

Only operators licensed by the city upon payment of a \$2 examination fee and \$10 license fee, would be permitted to exhibit films at assemblies outside the home. Another section of the ordinance stipulates that persons applying for special permits to exhibit films outside the home must pay a \$1 fee for each day's performance. Theaters showing pictures regularly are exempted from the latter provision.

Opponents charged that this ordinance would greatly handicap the medical profession, and that salesmen using 16 mm. film for customer demonstrations would be required to take out 15 or 20 permits every day to comply with the ordinance. Members of the Public School Board also pointed out that this ordinance would greatly hamper their work along educational lines.

Represented at the protest meeting were the Chamber of Commerce, Mellon Institute, Board of Education, Community Fund Committee, YMCA, Pittsburgh Advertising Club and Bureau of Recreation.

Neely May Postpone Resigning from Senate

(Continued from Page 1)

Tuesday, Senator Rush Holt of West Virginia predicts.

Holt said Neely probably would remain in the Senate to direct the ceremonies at the inauguration of President Roosevelt for a third term.

Neely, it was further hinted, may elect to remain in the Senate for some time instead of resigning immediately as he is in line for the chairmanship of the Judiciary Committee. His term still has two years to run and under constitutional provisions he could defer taking the office of Governor for that period of time with the President of West Virginia Senate serving in his place as Governor.

Neely was not available for comment on his plans yesterday.



● ● ● YES, yesterday was Armistice Day.....and impressively did Broadway observe it.....At one minute before 11 o'clock.....the staccato voices of drums halted Time Square traffic.....for the great morning crowd to observe two minutes of respectful silence.....—a silence which found the flag of the Hotel Astor dipped to half staff.....and the bugles of Boy Scouts sounding "Roll-Call" from the hotel's marquee.....But it was not the pageantry.....nor the solemnity of the occasion.....which moved this corner.....It was a single symbol.....which the crowd could not have seen from the sidewalks and pavement they packed.....There, high above the marquee of Loew's Criterion Theater.....on the building's roof.....stood a laborer at rigid attention.....His right hand held his cement-spotted hat over his heart.....For the full two minutes he held that motionless attitude.....firm as the limestone coping on which he stood.....Around him were building materials, mortar and ladders as he faced Old Glory.....It was a picture which said....."Let us all work together, let us all build together.....for the stronger America of tomorrow".....Yes, yesterday was Armistice Day.....

● ● ● LOCAL conversation yes'day.....was studded with oh's and ah's.....anent that grand first birthday party tendered by Oscar Serlin at Saturday midnight (and into the gray dawn).....for his legit-child, "Life With Father".....A delish buffet supper was served in the Empire Theater's lobby.....and the some 800 guests toted their platefuls into the auditorium.....to witness the guests stage their own entertainment.....Imagine Bert Lahr as Father.....Benny Baker, Russ Brown, David Burns and Lester Allen all in brick-hued wigs chanting 'bout baptism.....Gypsy Rose Lee in a modest moulting bit.....comedy galore by Olsen and Johnson, Hiram Sherman, Paula Trueman, Leif Ericson, Jeeter Lester and his daughters.....and brilliant Danny Kaye auditioning himself for top role in Serlin's "Nijinsky".....Such a mob of film, stage and radio celebs, as comprised that audience!.....The entire shindig was Serlin-like.....and that spells genius.

● ● ● THAT was a whizz of a cocktail reception.....RKO Radio hosted yes'day at the Starlight Roof of the Waldorf-Astoria.....for Prof. Kay Kyser and his College of Musical Knowledge.....Highlight of the proceedings was the demonstration of the Sonovox.....the invention of Gilbert Wright.....son of the novelist, Harold Bell Wright.....Gil's attractive wife manipulated the vocal side of the demonstration.....lending words and personality to such sounds as the wind, clock chimes, a steamboat whistle, a bugle, a calliope.....and super-imposing her voice on a record in Italian.....and singing to the accompaniment of the Novachord.....The device will be debuted on the screen by Kay's new pic, "You'll Find Out".....This department was surprised at the potentialities of the invention for Signal Corps training purposes.....And the folks with lost vocal chords can use the instrument effectively.....although Gil Wright hasn't the equipment presently to fill this demand.....Among those present at the party were Ned E. Depinet, S. Barret McCormick, Cresson Smith, Andy Smith, J. J. O'Connor, Fred Meyers.....Harry Mandel, Gus Eysell, John Farmer.....Don Mersereau, Chester B. Bahn, Chick Lewis, Martin Quigley, Jack Parlington, Jr., Bob Mochrie, Harold Corbin, Hal Eaton.....Eleanor Gunn, Red Kann, Alvin Goldstein, L. L. Stevenson.....and loads o' folks from the dailies, syndicates, trades and fan mags.....

Predict Quick Court Approval for Decree

(Continued from Page 1)

his opinions only on submitted briefs. The Government on Saturday filed an amended complaint against the eight major companies, asserting that present exhibition contracts are illegal and demanding an arbitration system for the entire industry. With the signing of the decree, however, the complaint against the five consenting companies is expected to be dropped, leaving the Government free to proceed with its suit against the dissenting companies; namely, Columbia, United Artists and Universal.

GWTW Returns to Atlanta Dec. 12 for Anniversary

(Continued from Page 1)

list of guests—the anniversary premiere will have a gala program arranged by Mayor Hartsfield and a citizens' committee.

General release of GWTW at half the roadshow price scale will be in January.

Fine Organizes New ATC

Cleveland — Associated Theaters Corp. has been incorporated in Columbus. Incorporators are listed as M. S. Fine, Jerome Friedlander and Robert I. Kopper. M. S. Fine is president of the Associated Theaters circuit, operating one of the largest independent theater circuits in this territory. Jerome Friedlander and Robert Kopper are members of the law firm of Benesch, Marsteller, Friedlander & Morris, Cleveland.

Launch New Chi. Circuit

Chicago—Another theater circuit has been organized here under the name of the Alben Theater Corp., with offices at 2337 S. 52th Ave. B. and M. Bartelstein and M. Abram are the principals. The company will operate theaters taken over recently from the Gus Brechta circuit.

Laird Replaces Atkinson

Miami, Fla.—Kenneth Laird is succeeding Ed Atkinson as booker for Paramount Enterprises, Inc. He comes to Miami from Atlanta where he was booker for the RKO Exchange.

New Ft. Smith House Opens

Fort Smith, Ark.—The new Plaza has opened.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Beverly Hills—Fritz Feld, film actor, and Virginia Kraft, radio actress, were married here. Among the witnesses was Ernst Lubitsch, director-producer. He and Feld were actors together in their native Germany 25 years ago.

"Happy Birthday to You"

THE FILM DAILY to Jack Oakie William Collier, Jr. Gwen Lee Murray Roth Jacques Tourneur

GENERAL RELEASE



*One of the most memorable screen triumphs
since the birth of the motion picture!...*

DECEMBER 25TH!...



Wesley Ruggles'

ARIZONA

starring

JEAN ARTHUR

with

WILLIAM HOLDEN

WARREN WILLIAM · PORTER HALL

and a cast of thousands

Based on the Saturday Evening Post serial and novel by Clarence Budington Kelland

Screen play by Claude Binyon · Directed by WESLEY RUGGLES

A COLUMBIA PICTURE



THURSDAY'S THE DAY AT THE ROXY, N. Y.!

*World Premiere of the big mirth, melody and mystery show!
.. Kay and his band in person for the special and spectacular engagement limited positively to ONE WEEK ONLY!*



KAY KYSER

IN

You'll Find OUT

WITH THOSE THREE BAD-HUMOR MEN

PETER

BORIS

BELA

PETER BORIS BELA

and KAY KYSER'S BAND, featuring

GINNY SIMMS

HARRY BABBITT · ISH KABIBBLE

SULLY MASON AND

"THE COLLEGE OF MUSICAL KNOWLEDGE"

Produced and directed by
DAVID BUTLER

Screen play by James V. Kern



THANKSGIVING WEEK!
ATTRACTING ALL
OVER THE NATION!



Armistice Day Biz Rises on Broadway

(Continued from Page 1)

the band policy. Biz yesterday was said SRO, and a \$74,000 first-week was estimated.

The Astor, with "The Great Dictator" had sellouts while the Capitol was SRO yesterday and reported a peak week-end. "Christmas In July," at the Rivoli, gave the house SRO biz yesterday and a "very good" week-end. The Roxy reported an excellent Armistice Day business and a heavy week-end with "The Mark Of Zorro" on its screen.

"Escape" continued to pile up heavy business at the Music Hall. House was SRO yesterday afternoon and a "take" well over \$90,000 was expected for the week, insuring a third week for the picture at the house. "Tugboat Annie Sails Again" continued to play to good business at the Strand, with yesterday's business 20 per cent better than last year.

Smaller Broadway houses also reported larger box-office "takes" yesterday.

Cleveland Stage Hands Rename William Finegan

Cleveland — William Finegan, who also heads the Cleveland Federation of Labor has been re-elected business manager of the Stagehands union. John B. Fitzgerald, a local union officer for the past 27 years, was re-elected president to serve his sixth consecutive term. Fitzgerald is stage manager of the Cleveland Public Hall.

The Union has adopted legislation lengthening terms of officers from two to four years.

Other officers re-elected for the new four-year term are: John Zitello, vice-president; Clarence Gugle, secretary-treasurer; Jerry Goodman, sergeant-at-arms; William Ables, Robert Potts, Delbert Mulcahy, Zish Shiffer and John Underwood, executive board; James Ryan, Frank Raymond and George Swartzberg, trustees; Ed Williams, Cy Perkins, John Short, Sam Kleinman and William Potts, financial board.

Stahl Opens In Munhall

Pittsburgh—John E. Stahl, who has operated the Stahl and Elite Theaters, Homestead, for more than 25 years, has opened the new Park Theater in Munhall, a suburb.

\$2,500 for Community Fund

Chicago — The Warner Theater circuit will contribute \$2,500 to the Community Fund.

STORKS!

Marion, Ind. — Thor Hauschild, manager of the Paramount Theater here, is the father of a baby boy.

'Dark Show' Proposed To Avoid Raid Danger

London (By Air Mail)—Sir Charles McGrath, clerk of the West Riding County Council and Assistant Civil Defense Commissioner for the Northeastern Region, has proposed to exhibitors that before audiences leave that the theater be darkened for several minutes to accustom the eyes of patrons to darkness before being turned into the dark streets of a blacked-out city. This, he believes, will put an end to the switching on of flashlights and car headlights which provide a clear target for an enemy air raid.

Report A T & T Retiring From the Film Field

(Continued from Page 1)

ket. Erpi will also foreclose on Educational Studios to try to liquidate the \$250,000 mortgage it holds against the studio.

Second "AID" Report At Indiana Convention

(Continued from Page 1)

Abraham F. Myers, Allied general counsel, on various phases of the consent decree.

Convention arrangements are in charge of a committee headed by Marc J. Wolf and including Truman Rembusch, Ernest L. Miller, Roy Harrold and Don Rossiter.

Skouras Leases Loew House

Skouras Bros. has leased Loew's Astoria Theater for 15 years. House goes under the new management on Thanksgiving Day and gives Astoria another first-run. It will be closed on next Tuesday and Wednesday to get ready for a celebration.

Col. Casts Luana Walters

West Coast Bureau of THE FILM DAILY
Hollywood — Columbia has cast Luana Walters opposite Bill Elliott in "Across the Sierras" which D. Ross Lederman is directing.

Saul Buys Hudson, Albany

Albany — Isadore Saul has purchased the old Hudson Theater, dark for several years but is silent on the question of re-opening theater. Theater was formerly operated by William Berinstein.

Bank Cashier as Exhib.

Nashua, Ia.—The Nashua Theater, owned and operated by C. A. Menold has been sold to G. H. Ballard, cashier of the Ackley state bank at Ackley, who took possession on Nov. 1. Improvements are being made.

Miriam Hopkins to P.A.

West Coast Bureau of THE FILM DAILY
Hollywood — Miriam Hopkins will leave soon for a p.a. at the New York Strand starting Nov. 30.

Ralph Calladine Recovers

Victoria, B. C.—Ralph Calladine, manager of the Plaza theater here, has recovered from a recent operation and is back at his post.

Braden Will Engage Arbitration Board Clerks

(Continued from Page 1)

nection, past or present, with the film business and must have had executive legal training.

In addition to the employment of personnel for the boards, Braden is slated to compile names for the panel of arbitrators. The list of names then will be submitted to the AAA's standards committee which will study the records and abilities of the candidates and pass on their qualifications.

Arbitration boards are expected to be completed and functioning by Feb. 1. There will be 31 boards in as many cities and a map showing the location of each board is to be released this week.

Braden will be gone from a month to six weeks and probably will make another trip in March to co-ordinate the activities of the boards and check up on their efficiency of operation.

Para. Executive Meetings On Coast May be Extended

(Continued from Page 1)

which brought together nearly a score of top production, distrib. and theater officials, were held both at the studio and the Ambassador Hotel. At the former, Neil Agnew met with theater reps. and at the latter, Y. Frank Freeman and Will Le Baron conferred with home office execs. Today, a joint session is scheduled at the studio.

Warners Switches Two Titles

"The Wagons Roll At Night" is the new title selected by Warners for the film which entered production as "Carnival," while "Invitation To A Murder" replaces "Trial and Error."

18 B & K Bowling Teams

Chicago—B & K femme employees have organized two bowling teams under direction of Mary McInerny. Male employees have a total of 16 teams, 10 formed among theater employees by Jack Katz and six composed of headquarters staff workers, organized by Charley Davidson.

Warners Sets More Circuits

Chicago — Warner Exchange has closed product deals with Great States, the McCullom circuit, at Hoonston and the Anderson circuit at Morris. Single theater contracts so far closed this Fall, are ahead of the same period last year.

\$1,500 In B & K Drive Prizes

Chicago—Managers and their assistants of the B & K circuit will share in \$1,500 cash prizes, that will be awarded to the winners of the Fall business drive, which starts this month and run to Dec. 21.

New Miami House to Para.?

Miami, Fla. — Paramount Enterprises, Inc., is now negotiating lease of a new 1,000-seat unit, still under construction in the Northwest section.

Pix Buying Spurs As Lethargy Fades

(Continued from Page 1)

is now only 500 contracts behind the mark of a year ago.

Reasons for the slow buying and the sudden spurt are varied. Some sources say that exhibitors held off buying in the hope of making better deals and that the time came when they were suffering a definite picture shortage. Others believe that the consent decree has been a factor inasmuch as exhibitors have been withholding buying until they were sure the decree would be signed. One sales head said that exhibitors were studying the programs more carefully than in previous years.

Whatever the reason may be, exchanges are reporting an avalanche of contracts indicating a definite upturn in business.

Lipman on New Nick Carter Pix

West Coast Bureau of THE FILM DAILY
Hollywood—W. R. Lipman is writing the scenario for Metro's new Nick Carter picture, "Murder by Radium." Walter Pidgeon will again be the star. Studio has assigned Howard Emmett Rogers to prepare the scenario of "Episode in Lisbon" which may have Hedy Lamarr and Robert Taylor in the stellar roles.

"U's" Conception Comedy

West Coast Bureau of THE FILM DAILY
Hollywood — Universal has cast the Andrews Sisters with Abbott & Costello in "Buck Privates," a conception comedy by Harold Shumate. Title was originally selected for an Arlen-Devine film, but has been transferred to a different story.

John Taintor Foote Signed

West Coast Bureau of THE FILM DAILY
Hollywood — Twentieth Century-Fox has engaged the novelist, John Taintor Foote, to write the scenario for "Indiana." Studio has signed Basil Walker to a term contract.

Penny Singleton, Author

West Coast Bureau of THE FILM DAILY
Hollywood — Columbia is interested in a new Blondie story by the star of the Blondie series, Penny Singleton. Title of the story is "Blondie Goes to Philadelphia."

Helen Morgan Ill

Oakland, Cal. — Helen Morgan, torch singer, is seriously ill at a local hospital. She has been appearing at a night club here.

"U" Teams Blondell-Powell

West Coast Bureau of THE FILM DAILY
Hollywood — Universal will team Joan Blondell and Dick Powell in "Model Wife," by Leigh Jason who will direct the film.

J. L. & S Gives \$300 to Fund

Chicago—Jones, Linick & Schaefer circuit has contributed \$300 to the Chicago Community Fund.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 95

NEW YORK, WEDNESDAY, NOVEMBER 13, 1940

TEN CENTS

FIND WHOLESALE COPYRIGHT VIOLATIONS Special MPTOA Counsel Will Battle Decree

Exhibitor Organization Engages Henry G. Gray; Aided by George Aarons

Ed Kuykendall, MPTOA president, announced last night that Henry G. Gray, of the New York law firm of Gray, Sage, Todd and Sims, will appear as the chief counsel for the MPTOA at the hearing on the New York Equity suit consent decree before Federal Judge Henry W. Goddard tomorrow. George P. Aarons of Philadelphia, who is associate counsel of MPTOA, will represent the

(Continued on Page 6)

De La Serna Heads Mexican Exhibitors

Mexico City (By Air Mail)—The Asociacion Mexicana de Empresas de Cines (Mexican Association of Motion Picture Theater Owners) has just been organized here, following long discussions. Majority of the houses in Mexico City and environs have joined.

Mauricio de la Serna, manager of the Teatro Alameda, Mexico's premier de-luxer, was named president of the Asociacion; Enrique Ren-

(Continued on Page 6)

Nazi Military Controls Belgian Film Theaters

Belgium's film theaters are operating under direct German military control which reduces their owners and managers to office boy status, it was said yesterday by Lars Moeen, long identified with the raw stock trade in Antwerp, upon his arrival

(Continued on Page 9)

Quality Films Click Despite Competition

Chicago—Exhibs. here are now competing with hockey, ice shows, roller skating derby, bowling tournaments, bicycle races, dance halls, Bingo games, radio shows, six legit attractions, grand opera and innumerable concert offerings. Despite this strong array, film house operators say business with the quality films is good, as compared with the same period last year.

Compulsory Parking Space Requirement In New Detroit City Zoning Ordinance

Detroit—Requirements of the new city Zoning Ordinance now being drafted have been sent back to the Council for approval in modified form by the City Planning Commission. Section covering theaters now provides that a theater must have 200 square feet of parking space (excluding driveway area) for each 10 seats. A small 500-seat nabe would thus require 10,000 square feet for parking, or a lot 100 feet square.

Dramatists Guild Okays Film Pact

Membership of the Dramatists Guild yesterday approved the proposed basic pact between the Guild and film companies covering the backing and purchasing of plays for films. Pact goes into effect immediately for a period of one year on a semi-probationary basis, with discussions to be reopened at the end of the year.

Principal feature of the new pact is a provision covering the payment

(Continued on Page 6)

Mono. Current Business At Peak, Asserts Golden

Monogram's current business from the standpoint of contracts and billings is the best in the history of the company, it was said yesterday by Edward Golden, general sales manager, who returns to the Coast today after a few days in New York.

Golden said he looked for the consent decree in the New York equity

(Continued on Page 6)

See 55,000 Lb. Profit For GUT This Year

Greater Union Theaters and affiliated companies will show a net profit of over 40,000 pounds for the first nine months of 1940, and net profit for the whole year is expected to run around 55,000 pounds, it was learned yesterday.

Norman B. Rydge, managing director of the company, cabled this information to GUT's New York office. Rydge has been at the head of the company for two years, taking

(Continued on Page 9)

Screeno Introduced Again in Chi. Theaters

Chicago—At a meeting of 75 exhibitors yesterday in the Congress Hotel, half of those present decided to introduce Screeno in their theaters next week as a box-office stimulant. J. S. Markstein handles Screeno in this territory.

Corporation Counsel Barnett Hodes stated yesterday that Screeno and

(Continued on Page 9)

3 Disney Features Annually Represents Minimum Program, Producer Says

Wis. Governor Holds Out Hope of No New Taxation

Madison, Wis.—Wisconsin exhibitors who have been concerned over the possibility of the introduction of a sales tax in the 1941 legislature should Gov. Julius P. Heil be re-elected may find some consolation in a statement from the Governor when he expressed the belief that no new

(Continued on Page 6)

Walt Disney plans to produce a minimum of three feature-length cartoons a year, he said yesterday at a trade press conference. Disney, who is here for the opening of his "Fantasia" tonight, said future feature releases include "Bambi," "The Reluctant Dragon," "Dumbo," all in varying stages of production; "Peter Pan," now in preparation, and "Bambi's Children."

Disney's current prime interest,

(Continued on Page 9)

Both First-Runs and Subs In Illinois and Indiana Involved, Probe Reveals

"Several hundred" alleged violations of the copyright laws by exhibitors in Illinois and Indiana have been revealed in an undercover investigation by the Copyright Protection Bureau, according to Jack Levin, general manager of the bureau. A detailed report of the alleged violations will be made shortly to the sales managers of the eight major companies.

Charges against the offending exhibitors including bicycling, holding pictures longer than contracted for

(Continued on Page 9)

NW Allied to Fight Student Tax Ruling

Minneapolis — Contention of the Treasury Dept. that a so-called "student ticket" is subject to a tax based on the prevailing adult admission tax will be fought by Northwest Allied, which proposed to take the question to the Board of Tax Appeals.

The Northwest unit is protesting

(Continued on Page 9)

Strike Limitation Law Upheld by Wis. Court

Madison, Wis.—The 1939 Wisconsin employment relations act, which limits strikes and picketing, has been upheld unanimously by the State Supreme Court. The court held that there is no violation of freedom of

(Continued on Page 9)

"Smellies" Utilize Odors to Aid Drama

Detroit—Now it's the "Smellies." Detroit theatergoers were introduced to a "new dimension" in pictures by "Dramatic Zephyrs" at United Detroit's Vogue Theater. Odors are designed to be appropriate to the subject, and blown into the auditorium. Typical control odors are for outdoors, waterfronts, forests, night clubs, flowers, fruits, and food. Device is being produced by Aromatix Company of Detroit, which will market it for theater use.

THE FILM DAILY
ALL THE NEWS
OF FILMDOM ALL THE TIME

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DONALD M. MERSEREAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Tuesday, Nov. 12)

NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Seat.	9 1/2	9	9 1/2	+ 1/2
Col. Picts. vtc. (21 3/4)				
Columbia Picts. pfd.	21 1/2	21 1/2	21 3/4	+ 1/2
Con. Fm. Ind.	9 1/2	9 1/2	9 1/2	+ 1/2
Con. Fm. Ind. pfd.	9 3/4	9 3/4	9 3/4	+ 1/2
East. Kodak	142	141 1/2	141 1/2	- 1/2
do pfd.	11 1/2	11 1/2	11 1/2	+ 1/2
Gen. Th. Eq.	11 1/2	11 1/2	11 1/2	+ 1/2
Loew's, Inc.	30 1/2	29 3/4	30 1/2	+ 1/2
do pfd.	9 1/2	9 1/2	9 1/2	+ 1/2
Paramount	9 1/2	9 1/2	9 1/2	+ 1/2
Para. 1st pfd.	94 1/2	94 1/2	94 1/2	+ 1/2
Para. 2nd pfd.	103 1/2	103 1/2	103 1/2	+ 1/2
Pathé Film	10 1/2	10 1/2	10 1/2	- 1/2
RKO	2 1/2	2 1/2	2 1/2	+ 1/2
20th Century-Fox	6 1/2	6 1/2	6 1/2	+ 1/2
20th Century-Fox pfd.	16 1/2	16 1/2	16 1/2	+ 1/2
Univ. Pict. pfd.	99	99	99	+ 1/2
Warner Bros.	3 1/2	3 1/2	3 1/2	+ 1/2
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref.	64 1/2	103	103	
Loew's deb.	3 1/2	104 1/2	104 1/2	+ 1/2
Para. B'way 3555	48 1/2	48 1/2	48 1/2	+ 1/2
Para. Picts. 6555	93	92 3/4	93	+ 1/2
Para. Picts. cv. 316547	87 1/2	87 1/2	87 1/2	+ 1/2
Warner Bros.' deb.	65 1/2	87 1/2	87 1/2	+ 1/2

NEW YORK CURB MARKET

Monogram Picts.	10 1/2	10 1/2	10 1/2	+ 1/2
Sonotone Corp.	10 1/2	10 1/2	10 1/2	+ 1/2
Teletecolor	10 1/2	10 1/2	10 1/2	+ 1/2
Trans-Lux	4	4	4	+ 1/2
Universal Corp. vtc.	4	4	4	+ 1/2
Universal Picts.				

**Ampa Urges Co-operation
In Forming Variety Club**

Acting on the instructions of the Ampa board of directors, Leon Bamberger has sent a letter to John Harris, president of the national Variety Clubs, urging his co-operation in establishing a Variety tent in New York City. Bamberger announced this yesterday at the Motion Picture Associates luncheon.

Others who spoke at the luncheon were Max Westebbe, RKO's manager in Holland, and Edward Golden, Monogram sales manager.

**Coast Writers May Come
East on Defense Mission**

West Coast Bureau of THE FILM DAILY Los Angeles—Col. A. D. Bruce of the U. S. Army General Staff and Maj. Richard Schlossberg, chief of the photographic division of the Signal Corps, accompanied by Gordon Mitchell, manager of the Research Council of the Academy of Motion Picture Arts and Sciences, who has been in Washington, conferred with Darryl F. Zanuck, chairman of the Research Council, in charge of industry's co-operation with the Signal Corps, regarding a series of training films to be produced under aegis of the Motion Picture Defense Committee.

Maj. Nathan Levinson, vice-chairman of the Council, S. J. Briskin and others also participated. Interviews were held with several writers who may be sent to Monmouth, N. J., to work with Army experts on training film scripts.

Y. Frank Freeman, chairman of the Motion Picture Defense committee, announced that a meeting will be held late this week to discuss Navy films.

**Accessories Committee
Maps Drive Participation**

B. S. Moss presided yesterday at a luncheon meeting in the Hotel Astor of his Accessories Committee of the Motion Picture Division of the annual drive of the New York and Brooklyn Federations for the Support of Jewish Philanthropic Societies. Plans were formulated and perfected for enlisting the active aid of all branches locally of the accessories field.

Present at the meeting, in addition to Chairman Moss, were Herman Sanders, Jerry M. Loeb, Max Seligman, A. L. Kerwin, Fred Lakeman, Walter Reade, Jr., Sam Rosen, Miss I. Garretson, and Charles Sonin.

Another meeting of the committee is planned for next week.

**Fleischer Will Appeal
Florida Tax Decision**

Miami—Fleischer Studios, Inc., has filed notice in the Circuit Court that an appeal will be taken to the Supreme Court on Judge Arthur Gomez' ruling of Oct. 26 that the picture studios in this area should pay real estate and personal taxes on the various bond debts. The studio company claims that under an act of the 1933 legislature it is exempt from all taxes.

The judge ruled that the company was not exempt from paying its pro rata share of the state, county, school board, Inland Navigation district and Everglades drainage, district millage and acreage bonded indebtedness.

Ludwig Leaves Art Theater

Irving H. Ludwig has resigned as manager of the Art Theater in Greenwich Village which on Monday was taken over by the Brandt Circuit.

**Sonja Henie to Appeal
\$77,113 Scanlon Verdict**

Verdict for \$77,113, inclusive of interest, against Sonja Henie and in favor of Dennis R. Scanlon was handed up to New York Supreme Court Justice Aron Steuer yesterday. The award was made on the basis of an alleged oral contract made between the parties in June, 1936, under which Scanlon claimed to have secured the Twentieth Century-Fox film contract for the defendant. Attorney for the defendant announced that he would appeal the decision after Justice Steuer denied a motion to set aside the verdict.

Scanlon's attorney stated that the jury decision would apply to \$135,000 which Miss Henie is to receive for her next picture and for all other pictures made by the defendant for any film company. The agency contract, Scanlon testified, calls for 20 per cent of the defendant's net earnings less any amount paid to Orsatti & Co., her regular agent.

**Lowell Pass Racket Ends;
120 Annie Oakleys Voided**

Lowell, Mass.—The pass racket has ended here. Approximately 120 persons who hold License Commission passes will now find them worthless, according to a decision reached by the Commission. Recently Mayor George T. Ashe voided the passes but they were not formally withdrawn from circulation.

It was agreed that city councilors, Mayor Ashe, former mayors and present and former license commissioners will have their passes honored. The arrangement was said to be satisfactory to theater managers who have complained of abuses of the pass system. Each theater will be supplied with a list of persons entitled to use passes, and they will not be transferable.

**Detroit Refuses to Halt
"Pastor Hall" Engagement**

Detroit—Mayor Edward Jeffries and Police Commissioner Frank B. Eaman upheld the showing of "Pastor Hall" at the Town Theater in spite of protests of local groups on the ground that censorship applies only to immoral or indecent films and banning of this film would violate the freedom of speech.

Arthur Freed Rites Today

Requiem Mass for Arthur F. Freed, president of Local 21, Newark stagehands, will be solemnized at 9 a.m. today at Our Lady of All Souls Church, East Orange, N. J. American Legion funeral services will be held tonight at his home, 90 N. 22nd St., East Orange. Freed died Sunday at the age of 48 after a short illness.

Repeal Daylight Saving

Springfield, Ill.—Daylight saving repeal was voted here.

COMING and GOING

JOSEPH P. KENNEDY, SONJA HENIE, MRS. HENIE and ARTHUR WIRTZ planned out last night for the Coast via TWA's Stratoliner.

MARY PICKFORD and BUDDY ROGERS are at the Waldorf.

MIRIAM HOPKINS planes to Chicago tonight to fill a radio engagement, returning here the latter part of the week.

NATE SODIKMAN, Monogram exchange manager in Albany, is calling on the Schine Circuit, Gloversville, Kallet Theaters, Oneida and Smalley Circuit, Cooperstown, this week on product deals.

HARRY LAMONT, exhib. who operates upstate in Plimont, Berlin and Greenville, is in New York buying equipment for the new theater he will open in Hudson Thanksgiving Day.

JACK SCHUYLER, FILM DAILY's Syracuse correspondent, is in New York for a week's deep-sea fishing.

LARS MOEN, one-time editor of the Motion Picture News, returned yesterday from Belgium after 12 years abroad.

BEN W. ROSCOE, Jr., of Republic Pictures, is at the Warwick.

ROBERT GILLHAM returns to his office the end of this week after a vacation in Florida.

DAN KELLY, Universal casting head, is here for home office confabs.

ROBERT RISKIN arrives here this week from the Coast for a month's vacation.

ARLINE JUDGE is scheduled to leave today for the Coast.

GALE SONDERGAARD has arrived here from Hollywood.

CARL KREGER, Paramount's publicity director in Chicago, has resigned and returned to the West Coast.

**Seal Reported Refused
For "Tin Pan Alley"**

West Coast Bureau of THE FILM DAILY Hollywood—Twentieth Century-Fox officials here were non-committal yesterday regarding a report that a seal for "Tin Pan Alley" had been refused. It is understood, however, that Will H. Hays is to view the picture Friday for a final decision. It is believed the Hays' office is finding fault with the "Sheik of Araby" sequence.

John Rappold Dead

Columbus, O.—John Rappold, one of the oldest local exhibitors in years of service, died here after an illness lasting two years. With his brother, George, he operated the Innis and Ideal Theaters, latter being opened only 18 months ago.

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*No other
film company has
a
Christmas Week
attraction
to compare with*

ALEXANDER KORDA'S

**THE
THIEF of BAGDAD**

IN MAGIC TECHNICOLOR

Released thru United Artists

ALAN

Returns keep piling in!
Records keep piling up!
From every corner of
the United States comes
the sensational news:
"N. W. M. P." is the
biggest Paramount
money-maker since
the advent of sound!



CECIL B. DE MILLE "N. W. M. P." AT

Here's a partial list of theatres which have already booked "N. W. M. P." mail brings loads more! You, too, can play "N. W. M. P." at advanced

Theatre	Town	Theatre	Town	Theatre	Town	Theatre	Town	Theatre	Town
Strand . . .	Providence, R. I.	Brockton	Brockton, Mass.	Howell	Palatka, Fla.	Newman	Kansas City, Mo.	Hall	Columbia,
State . . .	Portland, Me.	Strand . . .	Newport, R. I.	State . . .	Cocoa, Fla.	Orpheum . . .	Green Bay, Wis.	Omaha	Omaha,
Palace . . .	Youngstown, O.	Central . . .	Biddeford, Me.	State . . .	Eustis, Fla.	Wausau . . .	Wausau, Wis.	Lincoln	Lincoln,
Colonial . . .	Richmond, Va.	Temple . . .	Houlton, Me.	Princess	Mt. Dora, Fla.	Capitol . . .	Manitowoc, Wis.	Lyceum	Duluth, M.
State . . .	Harrisonburg, Va.	Haines	Waterville, Me.	State . . .	Tampa, Fla.	Majestic . . .	Beloit, Wis.	Chateau	Rochester, N.
Embassy . . .	Reading, Pa.	Paramount	Rutland, Vt.	State . . .	Palm Beach, Fla.	Lloyd's . . .	Menominee, Mich.	Fargo	Fargo, S.
Boyd . . .	Bethlehem, Pa.	Strand . . .	Rockland, Me.	Paramount	St. Petersburg, Fla.	Fox . . .	Marquette, Wis.	State	Winona, N.
Colonial . . .	Lancaster, Pa.	Strand . . .	Dover, N. H.	Florida	Ocala, Fla.	Fond du Lac	Fond du Lac, Wis.	State	Mankato, M.
Capitol . . .	Cincinnati, O.	Opera House	Bath, Me.	Palace . . .	Bradenton, Fla.	Odeon . . .	Beaver Dam, Wis.	Paramount	St. Cloud, M.
Capitol . . .	East Liverpool, O.	Paramount	Barre, Vt.	Palace . . .	Houston, Texas	Circle . . .	Indianapolis, Ind.	Palace . . .	Superior,
Paramount	Stuebenville, O.	Paramount	Ft. Fairfield, Me.	Majestic	El Paso, Texas	Rialto . . .	Louisville, Ind.	State	Hubbing, M.
Great Lakes	Buffalo, N. Y.	Colonial . . .	Augusta, Me.	Plaza . . .	Ft. Worth, Texas	Coronado	Rockford, Ill.	Paramount	Austin, M.
Palace . . .	Rochester, N. Y.	Capital . . .	Montpelier, Vt.	Worth . . .	Galveston, Texas	Rialto . . .	Champaign, Ill.	Denham	Portland,
State . . .	Cleveland, O.	Capitol . . .	Concord, N. H.	New Martini	Austin, Texas	Grand	Port Washington, Wis.	Paramount	Denver, C.
Loew's . . .	Akron, O.	Empire . . .	Lewiston, Me.	Palma	San Antonio, Texas	Palace . . .	Waupaca, Wis.	Paramount	Los Angeles,
Loew's . . .	Canton, O.	Flynn . . .	Burlington, Vt.	Majestic	Dallas, Texas	Fox . . .	Stevens Point, Wis.	Arlington	Santa Barbara,
Paramount	Toledo, O.	Strand . . .	Rumford, Me.	Criterion	Oklahoma City, Okla.	Miller . . .	Wichita, Kans.	Riverside	San Bernardino,
Paramount	Poughkeepsie, N. Y.	Colonial . . .	Portsmouth, N. H.	Orpheum . . .	Tulsa, Okla.	Midland . . .	Hutchinson, Kans.	Fox	Pomona,
Metropolitan	Newburgh, N. Y.	Strand . . .	Berlin, N. H.	Malco . . .	Memphis, Tenn.	Watson . . .	Salina, Kans.	Orpheum	Phoenix,
Empress . . .	Boston, Mass.	Cumberland	Brunswick, Me.	Princess	Columbus, Miss.	Midland . . .	Pittsburg, Kans.	Fox	Bakersfield,
So. Norwalk, Conn.	Bangor, Me.	Fitchburg	Fitchburg, Mass.	Strand . . .	Jonesboro, Ark.	Time . . .	Mattoon, Ill.	Eltrym	Baker,
Bijou . . .	New Haven, Conn.	Paramount	Springfield, Mass.	Rialto . . .	Camden, Ark.	Will Rogers	Charleston, Ill.	Centre	Salt Lake City,
Paramount	Hartford, Conn.	Garden . . .	Greenfield, Mass.	Paramount	Helena, Ark.	State . . .	Minneapolis, Minn.	Rialto	Butte, M.
Allyn . . .	Worcester, Conn.	Paramount	Brattleboro, Vt.	Fulton . . .	Fulton, Ky.	Paramount	St. Paul, Minn.	State and Fox	San Diego,
Capitol . . .	New London, Conn.	Paramount	North Adams, Mass.	Conway . . .	Conway, Ark.	Huron . . .	Huron, S. D.	State	Tucson,
Capitol . . .	Lowell, Mass.	Paramount	Nashville, Tenn.	Kentucky	Henderson, Ky.	Paramount	Sioux Falls, S. D.	Obispo	San Luis Obispo,
Paramount	Haverhill, Mass.	Ritz . . .	Sanford, Fla.	Saenger	Hope, Ark.	State . . .	Worthington, Minn.	United Artists	El Centro,
Strand . . .	Pawtucket, R. I.	Florida	Sarasota, Fla.	Ritz . . .	Russellville, Ark.	Grand	Detroit, Mich.	Warfield	San Francisco,
Olympia . . .	New Bedford, Mass.	Van Croix	Melbourne, Fla.	Chicago	Chicago, Ill.	Michigan	Neenah, Wis.	United Artists	Pendleton, O.
				Palace and Wisconsin				Elre	Colorado Springs,

SLIDE!

WEST POLICE

ADVANCED ADMISSIONS!

Advanced admissions. And every
theatres and reap that golden harvest!

300 THEATRES BOOKED!
200 NOW BOOKING!

Town	Theatre	Town	Theatre	Town	Theatre	Town	Theatre	Town	Theatre
Pueblo, Colo.	Mac	Virginia, Minn.	Patio	Freeport, Ill.	U. S.	Patterson, N. J.	Rialto	Camden, Ark.	
Boise, Idaho	Capitol	Aberdeen, S. D.	Irvin	Bloomington, Ill.	Riviera	Binghamton, N. Y.	Paramount	Helena, Ark.	
Ogden, Utah	State	Madison, S. D.	Granada	Emporia, Kans.	Geneva	Geneva, N. Y.	Fulton	Fulton, Ky.	
Great Falls, Mont.	Lyric	Watertown, S. D.	Fox	Joplin, Mo.	Glove	Gloversville, N. Y.	Lyric	Tupelo, Miss.	
Missoula, Mont.	Kimo	Albuquerque, N. M.	Strand	Hays, Kans.	Rialto	Amsterdam, N. Y.	State	Starkville, Miss.	
Santa Maria, Cal.	Grand	Preston, Idaho	Plaza	Moberly, Mo.	Paramount	Glens Falls, N. Y.	Saenger	Pine Bluff, Ark.	
Ventura, Cal.	Orpheum	Twin Falls, Idaho	State	Great Bend, Kans.	Palace	Lockport, N. Y.	Saenger	Hope, Ark.	
Yuma, Ariz.	Fox	Billings, Mont.	State	Eau Claire, Wis.	Avon	Watertown, N. Y.	Paramount	Jackson, Tenn.	
Greeley, Colo.	Chief	Pocatello, Idaho	Redlands	Redlands, Cal.	Paramount	Alexandria, La.	Kentucky	Henderson, Ky.	
Grand Junction, Colo.	Rialto	Tacoma, Wash.	Capitol	Calxico, Cal.	Paramount	Baton Rouge, La.	Malco	Owensboro, Ky.	
Sun Valley, Idaho	Seventh Street	Hoquiam, Wash.	Columbia	Longview, Wash.	Paramount	Biloxi, Miss.	Jose	Ft. Smith, Ark.	
Helena, Mont.	Liberty	La Grande, Ore.	Nile	Mesa, Ariz.	Paramount	Clarksdale, Miss.	Paramount	Hot Springs, Ark.	
Gallup, N. M.	Emerson	Brush, Colo.	Hippodrome	Taft, Cal.	Paramount	Greenville, Miss.	Drew	Monticello, Ark.	
Seattle, Wash.	Judith	Lewiston, Mont.	Mesa	Victorville, Cal.	Paramount	Greenwood, Miss.	Rialto	El Dorado, Ark.	
Spokane, Wash.	Egyptian	Scottsbluff, Neb.	Fox	Oakland, Cal.	Paramount	Gulfport, Miss.	Sheridan	Miami Beach, Fla.	
Caldwell, Idaho	Norva	Norfolk, Va.	Out Wickenburg Way	Wickenburg, Ariz.	Saenger	Hattiesburg, Miss.	Paramount	Cinema-Casino, Miami Beach, Fla.	
Provo, Utah	Coyle	Charlottesville, Pa.	United Artists	Long Beach, Cal.	Temple	Meridian, Miss.	Paramount	Miami, Fla.	
Brigham City, Utah	Miller	Augusta, Ga.	Kelso	Kelso, Wash.	Saenger	Mobile, Ala.	Paramount	Amarillo, Tex.	
Wampa, Idaho	Bijou	Savannah, Ga.	Crocker	Elgin, Ill.	Paramount	Monroe, La.	Tyler	Wichita Falls, Tex.	
Topeka, Kans.	Grand	Macon, Ga.	Pekin	Pekin, Ill.	Grand	Natchez, Miss.	Wichita	Waco, Tex.	
Sioux City, Iowa	Bradley	Columbus, Ga.	Gillioz	Springfield, Mo.	Saenger	New Orleans, La.	Waco	Waco, Tex.	
Lincoln	Lincoln	Decatur, Ill.	Midland	Coffeyville, Kans.	Saenger	Pensacola, Fla.	Jefferson	Beaumont, Tex.	
Des Moines, Iowa	Fischer	Danville, Ill.	Plaza	Ottawa, Kans.	Paramount	Shreveport, La.	Strand	Port Arthur, Tex.	
Davenport, Iowa	Sterling	Sterling, Ill.	Dodge	Dodge City, Kans.	Paramount	Texarkana, Tex.	Crim	Kilgore, Tex.	
Rock Island, Ill.	Mainstreet	Warrensburg, Mo.	Regent	Winfield, Kans.	Saenger	Vicksburg, Ark.	Arlyne	Longview, Tex.	
Waterloo, Iowa	Paramount	Aurora, Ill.	Eldorado	Eldorado, Kans.	Malco	Memphis, Tenn.	Lyric	Brownwood, Tex.	
Cedar Rapids, Iowa	Orpheum	Galesburg, Ill.	Fox	Fullerton, Cal.	Princess	Columbus, Miss.	Palace	Corsicana, Tex.	
Ottumwa, Iowa	Colfax	South Bend, Ind.	Fox	Atlanta, Ga.	Strand	Jonesboro, Ark.	Paramount	Ablene, Tex.	
Grand Forks, N. D.	Orpheum	Springfield, Ill.	Bellevue	Niagara Falls, N.Y.	Conway	Conway, Ark.	Grand	Paris, Tex.	
Minot, N. D.	Madison	Peoria, Ill.	Paramount	Newark, N. J.	Ritz	Russellville, Ark.	Texas	Denison, Tex.	

Dramatists Guild Okays Film Pact

(Continued from Page 1)

by film companies for screen rights to plays on a scale guided by the weekly earnings of the plays. Negotiations were extremely lengthy before a final pact which had the approval of both sides, was drafted.

A number of film companies are reported to have already lined up stage properties for early production, with Metro, Paramount and Warners expected to announce plans shortly.

The Guild also approved a new five-year pact with the League of New York Theaters.

De La Serna Heads New Mexican Exhibitors' Unit

(Continued from Page 1)

ner, of the Teatro Rex, was chosen secretary, and Luis Fagoaga was installed as treasurer. The latter is the owner-manager of the Cine Parisiana.

Wis. Governor Holds Out Hope of No New Taxation

(Continued from Page 1)

forms of taxation will be required to finance the state government during the next biennium. Attempts to introduce a sales tax in the 1939 legislature were vigorously opposed by exhibitors.

Heil, who was re-elected by the narrow margin of 12,076 votes, said that during the 1941 legislative session, "we'll try to clarify anything that needs clearing up."

"Dictator" to Reopen Surf

Miami—Wometco will reopen its renovated Surf Theater on Miami Beach for the Winter tourist season next Tuesday, simultaneously showing "The Great Dictator" there and at its Lincoln Theater for the first time in this area.

Joseph J. Krause Dead

Milwaukee—Joseph J. Krause, 50, former operator of the old Empress and Gayety Theaters here and former manager of a Los Angeles theater, died here.



● ● ● NOTES from the "keys":.....New Haven flashes that Joe Samartano, manager of the Palace in Meriden, Conn., has been elected prexy of the Kiwanis Club.....Jack Beresin, general chairman of the Variety Club of Philadelphia's 8th Annual Banquet, clarions that even'll be held at the Bellvue-Stratford Hotel there on the night of Dec. 12, and that big preparations are being made to celebrate homecoming of member Frank C. Walker, Postmaster General of the U. S., and to honor Jay Emanuel, retiring Chief Barker, and the Board of Governors....In Tulsa on Nov. 17-19 will be staged a rousing world premiere celebration in behalf of Tex Ritter's latest Monogram musical sagebrusher, "Take Me Back to Oklahoma".....Rochester, N. Y., film theaters are due to profit handsomely via their participation in the co-op promotion opening Nov. 25,— "Come Downtown Week—Shop, Dine and Go to a Movie"—in which drive Lester (Loew's Rochester) Pollock, Lou (Temple) Mayer, and Charley (Century) Freeman are on the steering committee.....

● ● ● LOCALLIGHTS:.....On Thursday, RKO Radio's new Kay Kyser opus, "You'll Find Out," moves into the Roxy, and patrons'll find out that the film is plenty entertainment and that Gil Wright's device, "Sonovox," is one of the thrilling assets..... Those are slick, novel and practical goin's-on at the New York World Military Academy at Cornwall-On-Hudson where cadets are trainin' their dads (The New York Times says of two of the dads: "One of the ex-sailors, Jack Goetz, 48, who runs a motion picture laboratory and lives at 115 Central Park West, said his only fear was 'fresh air poisoning'" and that "Alvin (Beano) Hadley, 15-year-old son of 'Hap' Hadley, who used to draw 'Marty, the Marine' and 'Devil Dog Dave', helped his dad make his bed")..... Martin Starr is now in biz for himself o'er in the Chavin Building where his activities will consist free lance promotional assignments in pir, radio and the legit (we understand that, at the behest of several borough presidents, mayors and governors, Martin will continue operation of the annual beauty pageant he instituted at the World's Fair).....Jacques Chambrun and the Warners are tendering a cocktail reception this aft. to W. Somerset Maugham in the Carlton Suite of the Ritz Carlton Hotel..... Vincent G. Hart has been appointed a member of the legal staff of the Selective Service Board to serve local boards Nos. 23 and 24.

● ● ● 'MONG the prominent NBC execs. who'll attend tomorrow's Ampa luncheon in the Hotel Edison (at which Edgar Kobak, NBC v.-p. will be top speaker) are John Royal, v.-p.; Lunsford P. Yandell, director of international broadcasting; A. H. Morton, v.-p. in charge of television..... Keith Kiggins, blue network sales mgr.; Robert Saudek, assistant to Messrs. Kiggins and Kobak; Sidney Strotz, v.-p. in charge of programs; E. P. H. James, ad manager; Ken Dyke, director of national sales promotion; Clayland T. Morgan, director of institutional promotion; and Fred Thrower, blue network salesman.....Among others who will be present are William Dieterle and Jessica Dragonette.....

● ● ● GIRDERS of the Paramount Bldg. will echo on Friday at 5:30 p.m. as the Paramount Pep Club's Choral Singers gather in Room 968.....Mrs. Joseph Savage will direct the group whose honorary members are Adolph Zukor, Barney Balaban, Stanton Griffiths and Austin Keough.....Committee comprises Richard Bennett, W. J. Clark, Monroe Goodman, Alex Kiralfy, Harry Nadel, Mrs. M. Altusie.....and the Misses Josephine Axelson, Rose Weinberg, Julia Sullivan, Aileen Brenon, Lenora Korenstein, Catherine Miner, Aldyth Reichenbach, Linda Salzberger, Rose D. Sarfaty, and Irene Sullivan.....

Special Counsel for MPTOA Decree Fight

(Continued from Page 1)

Pennsylvania unit, the UMPTO, as well as collaborate with Gray.

Herman Levy, representing the theater owners of Connecticut, and Sidney Pfeifer, representing Theater Owners of Western New York, MPTOA units, will participate in the hearings. There probably will be several exhibitor leaders of other MPTOA units appearing, it was stated.

MPTOA is vigorously opposed to parts of the consent decree in its present form, feeling that they will work a tremendous hardship, in particular on the small independent exhibitor, and will fight to the limit to prevent its becoming a law, Kuykendall said.

Abram F. Myers, Allied general counsel, is slated to represent his organization, while Milton Weisman will act for the ITOA. Jacob Schechter has been retained by Max A. Cohen to represent the New York MPTOA unit. The Pacific Coast Conference of Independent Exhibitors is sending Paul Ziegler.

Whether Judge Goddard will permit counsel to plead orally or ask them to submit briefs has not been determined.

Too Much Arbitration Under Decree, Wis. Exhibs. Fear

Milwaukee—A survey among independent exhibitors in this territory indicates that they do not take too kindly to the consent decree in the New York equity suit and that many are hopeful that it will still be ruled out. Exhibitors are mostly opposed to the decree on the ground that it will require too much arbitration to iron out disputed clauses.

Mono. Current Business At Peak, Asserts Golden

(Continued from Page 1)

suit to have a beneficial effect on the industry inasmuch as he believed it would result in better pictures, place competition on a more open basis and add more salesmen.

WEDDING BELLS

Cincinnati—Bud Weigel, M-G-M will marry Kay Richardson Nov. 20. Bud handles bookings at the local exchange.

Des Moines—Miss Mildred Johnson of Paramount Pictures, Inc., was married to John Begley of West Des Moines in a church wedding here.

Harrisburg, Pa.—Alvina Elizabeth Muto, of the Colonial Theater staff, has been married to Robert L. Erb, of Harrisburg.



Mrs.

**Exhibitor,
do you have
husband
trouble?**

Pardon me, but ...



Are You One of the 84% of 35,000 Wives
I have questioned personally who are sore be-
cause your husband always waits to clean up
until dinner is on the table?



Are You A Delicatessen Widow, forced to
wait at home in a lonely kitchen while your
husband squanders the family budget at the
corner delicatessen?



Are You One of the 64% of the 35,000
Women I questioned personally who wants to
brain her husband on account of he thinks he's
a Mechanical Genius Around the House?



Ahhhhhhh . . . I thought so. Then let me ad-
vise you right now to put your foot down and
make him book my first Paramount release im-
mediately. It will make a new man of him . . . a
happier one, too. For his box office will be ab-
solutely mobbed by what I like to call my fans.

THE CRITICS ROARED . . . AND RAVED!

"Sure-fire as a mirth-
provoker — just what
the doctor ordered in
these times of stress
and concern. Laugh-
crammed with Bench-
ley never in better
form. Which should be
enough for any fan!"

— Film Daily

"Refreshing, funny.
Will keep the spectators
laughing steadily. It's
in the Benchley style,
with the Benchley
touches which hit the
spot!"

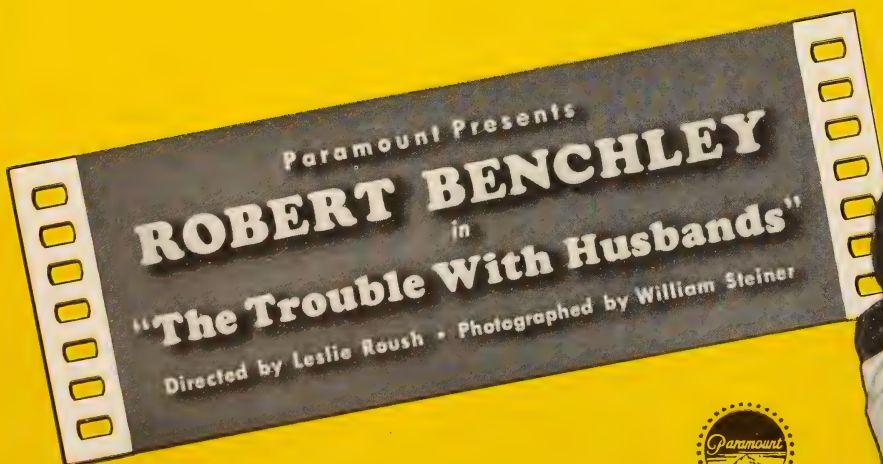
— BoxOffice

"Highly amusing. Cer-
tain to place any au-
dience in a playful
mood. For good hearty
laughter, you can
recommend it!"

— Showmen's Trade Review

"One of the funniest
film comedians in the
business. More than
welcomed by exhibi-
tors and audiences
alike!"

— Jay Emanuel Publications



"BETTER BUY
BENCHLEY"



Find Wholesale Copyright Violations

(Continued from Page 1)
and making false box-office statements. First-runs as well as subsequent-runs in large and small cities were declared involved.

The probe just ended is a continuation of an investigation which started late in 1939 when the operators of a Chicago laboratory were convicted of making unauthorized prints of major company pictures. This investigation led to another in which "bootleg distributors" of pirated prints were rounded up. As a result of this situation, Levin launched a further probe into copyright violations by exhibitors in the Chicago trade territory.

See 55,000 Pounds Profit This Year for GUT

(Continued from Page 1)
over when it was in the red and showing a loss on operations.

Breakdown of the profits shows that the theater company is responsible for about 30,000 pounds profit; 8,500 pounds from British Empire Films and the balance from Cine-sound and National Theater Supplies. Greater Union's only American product comes from Universal, Columbia, Republic and Monogram.

Protests Halt "Uncensored" Use in 'Pastor Hall' Ads

Detroit—Use of the word "uncensored" in advertising of "Pastor Hall" at the Town Theater was objected to here by Police Censor Charles W. Snyder. Advertising referred to the police ban in Chicago, then said: "It's here now—uncut—uncensored—intact."

Snyder's objection was to the use of one word, inasmuch as the film had necessarily been reviewed for censorship before being released. Protests from women's clubs and other organizations closely following local film censorship were also received, and the word was dropped in subsequent newspaper advertising.

Lincoln Variety Tries Vaude

Lincoln, Neb.—Variety Theater, property of the Nebraska Theaters, Inc., is giving vaude a try this week. Theater seats 1,100, and the first show tomorrow is "Pardon Us, Please," which is set for three days.

STORKS!

Miami—Larry Johnston, auditor of the Wometco Theaters, Inc., is the father of a new son.

Coral Gables, Fla.—Twin boys, Donald and Ronald, are the latest acquisition of Mr. and Mrs. Wendell Thaggard. Thaggard is operator of the Gables Theater.

Trap Kid Robbers, Save Coin By Squeak —But Cashier Heroine Finds It A-gnawing

Albany, N. Y.—Armistice Day here belied its name as far as the Colonial Theater of the Jules Bernstein circuit was concerned. All was peaceful and orderly on the theater's front until a group of boys launched a unique blitzkrieg. Stalking up to the ticket booth with a cardboard box, they threw mice into the enclosure to scare Cashier Caroline Singer. One of the culprits grabbed loose change from the b.o. sill, but Miss Singer recovered quickly enough to grab the offender's hand. Manager Everett Stutz ran to the scene to recover the snatched dough. Incident was so unusual that it hit the headlines of the local newspapers.

Strike Limitation Law Upheld by Wis. Court

(Continued from Page 1)
speech in the labor law and pointed out that all rights guaranteed under the Constitution are "subject to limitation."

The free speech test grew out of a year-old strike at two Milwaukee hotels, one of them adjacent to the Newsreel Theater which has gone dark following picketing by Local 164, Operators.

The hotel union claimed constitutional rights were abridged when the State Labor Board, upheld by the Circuit Court, called the strike illegal, found the union guilty of unfair labor practices and forbade pickets to call the hotels unfair.

Rulings of the labor board, according to the decision, are enforceable in the Circuit Courts, but the law does not contain any provisions for fines or imprisonment, in which respect it differs from the Oregon labor law, which was recently held invalid by the Oregon Supreme Court, according to the ruling.

The union will petition for a rehearing on the decision and if this is denied, or the court reaffirms its decision, it will appeal to the U. S. Supreme Court, according to counsel.

The law is being attacked by another union on the ground that it attempts to regulate interstate commerce in conflict with Federal laws.

Seven More Pix Starting In Hollywood's Studios

West Coast Bureau of THE FILM DAILY
Hollywood—Seven pictures are scheduled to go into production this week. The line-up:

At Republic: "Robin Hood of the Pecos," starring Roy Rogers with George "Gabby" Hayes and Sally Payne; and "Wyoming Wildcat," starring Don Barry.

At 20th Century-Fox: "The Road to Rio," with Alice Faye, Don Ameche and Carmen Miranda; "Tall, Dark and Handsome," with Cesar Romero, Milton Berle, Virginia Gilmore and Charlotte Greenwood; and "Murder Among Friends," with Marjorie Weaver and John Hubbard.

At Universal: Deanna Durbin's "Nice Girl," with Franchot Tone, Robert Stack, Walter Brennan, Robert Benchley and Helen Broderick; "Who's Crazy Now?" starring Hugh Herbert.

Acquires Florence Theaters

Florence, S. C.—B & B Theaters Corp. has taken over the State and the Lincoln. Ellis Blumenthal is head of the chain.

N. W. Allied to Fight Student Tax Ruling

(Continued from Page 1)
against the interpretation of the tax law by an acting deputy commissioner of the Treasury Dept., Adelbert Christie, who in a letter to Allied's general counsel, Abram F. Myers, wrote: "It must be held that students or other children 12 years of age or over, admitted for a price less than the established price of admission to adults, are liable for tax based on the regular established price to adults for the same or similar accommodations."

Northwest Allied will ask the Treasury Dept. to review and reconsider the ruling, and if unsuccessful, will go to the Board of Tax Appeals.

Screeno Introduced Again in Chi. Theaters

(Continued from Page 1)
similar games are prohibited by state law and at the office of Commissioner of Police Allman it was said that the law will be enforced.

Griffith Exhibit Preview At Museum's Film Library

Museum of Modern Art Film Library held a special press preview yesterday afternoon of its exhibition, "D. W. Griffith, American Film Master," under the supervision of Director John E. Abbott, Curator Iris Barry, and Richard Griffith, assistant curator.

Preview, originally scheduled for last night but shifted to the afternoon so as not to conflict with the press showing of Walt Disney's "Fantasia" at the Broadway Theater, included presentation of four of the Biograph films selected from the first three programs of the Griffith series. Films shown were "A Corner in Wheat" (1909); "The Unchanging Sea" (1910); "The Lonedale Operator" (1911); and "The Musketeers Of Pig Alley" (1912).

Feature of the exhibition is the continuous projection of one sequence from "The Birth Of A Nation," which may thus be studied in conjunction with a "break down" of the same sequence scene by scene, thus making it possible to analyze Griffith's foremost contribution to the screen,—his editing technique.

"Happy" Meininger Retiring

Chicago—"Happy" Meininger, veteran B & K manager of the Berwyn Theater, Berwyn, is retiring to his old home in Fond du Lac, Wis.

Disney to Make 3 Features Annually

(Continued from Page 1)
of course, is "Fantasia," which represents a revolutionary system of sound presentation. He explained that the entire picture and sound accompaniment were experimental but that he could see vast possibilities.

Initial equipment, made by RCA, and dubbed Fantasound, represents an expenditure of \$200,000, but the mechanism for the other installations will cost between \$30,000 and \$40,000. Whether major companies will incorporate the same principles in their future productions will depend largely on the success of "Fantasia." Walter Wanger recently announced suspension of production to await "Fantasia's" release.

During the next 2½ years, "Fantasia" will be shown in 12 zones. First showings, following the New York premiere, will be in Los Angeles, Boston, Chicago, Philadelphia, Washington, Atlanta, Minneapolis, San Francisco, Seattle, Salt Lake City and Miami.

Nazi Military Controls Belgian Film Theaters

(Continued from Page 1)
in New York by boat from Portugal. Moen, at one time editor of the old Motion Picture News here, said that while all Belgian houses were open, attendance was light. British air raids and the fact that Nazi films, propaganda and otherwise, predominated were major factors responsible, he added.

American features have all but disappeared from the Belgian scene, due to the Nazi restrictions, Moen stated, not more than one in 20 played now being Hollywood product. Only German newsreels are permissible.

En route to Lisbon, Moen passed through both Occupied and Unoccupied France as well as Spain. He found French production stifled, but in Spain marked studio activity. Players and others with Hollywood background are now aiding the Spanish movement, Moen reported. Quality of pictures was termed "poor."

25 Screen Luminares At "Arizona" Premiere

Tucson, Ariz.—Some 25 screen luminares will journey here from Hollywood to participate in the five-day world premiere of Columbia's Wesley Ruggles production Friday. Contingent will be headed by Jean Arthur, film's star.

William Holden, male lead, and Porter Hall, Warren William, Regis Toomey, Paul Harvey, Rita Hayworth, Glenn Ford, Paul Lukas, Jack Holt, John Mack Brown, Fay Wray and Guy Kibbee will be among others in the entourage. Charles Ruggles is slated as emcee.



SHAKE HANDS WITH SUCCESS

Smart advertising and good business go hand in hand because smart advertising is NEWS and big news, at that. ★ This is as true in show business as it is in merchandising. As true in your theatre as it is in your retail stores. ★ The masses may not understand advertising but they succumb to its wiles ... the better the advertising the more they succumb. They may not know a layout from a layette ... or a headline from a clothesline ... but **you know** when a combination of layout and copy hits them where they live, because that's the combination which makes them **step up and buy** ... that's the combination you want in your theatre ... that's the combination we give you in **TRAILERS ... LOBBY DISPLAYS and STANDARD ACCESSORIES** ... ★ And that's why we say "give yourself the breaks ... Use All Three".

NATIONAL *Screen* SERVICE • NATIONAL *Screen* ACCESSORIES
ADVERTISING ACCESSORIES, INC.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 96

NEW YORK, THURSDAY, NOVEMBER 14, 1940

TEN CENTS

BIG FIVE, U. S. UNITE IN DECREE DEFENSE

Define Boundaries for New Arbitration Districts

Areas Differ Slightly from Trade Territories of the Key Distribution Points

Map showing the location of the proposed arbitration boards and the territories they will cover has been completed, by the American Arbitration Association in consultation with D of J officials.

Boards are to be in the 33 principal exchange centers but the areas over which they will have jurisdiction differ slightly from the trade territories of the key distribution cities.

Breakdown of the map reveals that

(Continued on Page 7)

Rise in Film Firm Earnings Forecast

Rise in film company earnings this season is forecast by the Fenner & Beane Industries Service.

Investment service, after reviewing the drop in foreign revenue, says:

"With a substantial part, however, of the probable shrinkage in foreign revenues now having been taken into accounts for a full year, current improvement in domestic operating factors should have the more important

(Continued on Page 7)

SPG Would Bargain for "U" Publicity Workers

Formal request for recognition as the collective bargaining agent for all publicity employees of Universal was sent to the company yesterday by the Screen Publicists Guild. Forwarding of the letter to Universal completes the list of major companies the Guild is now negotiating with for contracts. Hearings before the National Labor Relations Board

(Continued on Page 6)

Vote Sunday Films, But It's an Error

Philadelphia—Brynathyn, which voted in favor of Sunday movies last week, found out yesterday that the vote was a mistake. The Montgomery County election board discovered that the referendum had been put on the ballot in error. The borough hasn't any theater, anyway.

BIG BONUS FOR EASTMAN WORKERS

\$2,625,000 to be Paid on March 24, 1941 to Employees Who Worked 26 Weeks in 1940

Rochester—Directors of Eastman Kodak Co. yesterday announced that a "wage dividend," or bonus, of \$2,625,000 will be paid to its employees who, at the date of payment, March 24, 1941, worked all or part of 26 different weeks for the company in 1940.

Basis for the wage dividend was the voting of a quarterly dividend

on common stock of \$1.50 a share, bringing the year's declarations to \$6, and the regular on the preferred stock, amounting to \$1.50 a share. These are payable Jan. 2 to stockholders of record Dec. 5.

Next year's payment, the 29th since the plan was inaugurated in 1912, exceeds the 1940 wage dividend by about \$250,000, the company stated.

III. UTO to Co-op With St. Louis MPTO

St. Louis—While the new United Theater Owners of Illinois which has just assumed state-wide scope is an unaffiliated exhib. unit, it will closely co-operate in industry matters with the MPTO of St. Louis, Eastern Missouri and Southern Illinois, affiliated with the MPTOA.

Among the new directors of the

(Continued on Page 6)

Korda Testimony Sought By Goldwyn in UA Suit

Examination of Alexander Korda before trial in the Samuel Goldwyn suit against United Artists will be sought by Goldwyn tomorrow in an application before Federal Judge John Clancy. Goldwyn will request the Court to fix a date for Korda's appearance.

'40 Mexican Production Down Maximum of 22 Features is Drop of 66 P. C.

FitzPatrick Preparing Capt. Cook Pic For M-G-M

James A. FitzPatrick plans to start production next Spring on his feature picture dealing with Captain Cook and the Hawaiian Islands, FitzPatrick, who will make the picture for M-G-M release, completed the

(Continued on Page 6)

500 to Attend Meet Of Board of Review

Some 500 delegates from 37 states are expected to register today in the Hotel Pennsylvania for the 17th annual conference of the National Board of Review. Executive director, James Shelley Hamilton, will deliver the address of welcome at the initial session at 10:30 o'clock.

This afternoon, the delegates will be guests of Walt Disney Productions at the Broadway Theater to

(Continued on Page 4)

Disputes Under DG Pact To be Arbitrated by AAA

American Arbitration Association has been named by the Dramatists Guild and the film companies to arbitrate disputes that may arise be-

(Continued on Page 6)

Map Strategy to be Used In Combatting Exhibitor Attacks at Hearing Today

The five negotiating companies will unite today with the Government in a single defense of the proposed New York equity suit consent decree against the expected onslaught of exhibitor groups and non-participating majors, it was learned yesterday.

In preparation for today's hearing before Federal Judge Henry W. Goddard, Government attorneys yesterday conferred all afternoon at the Bar Association Building with counsel for the five companies.

Possible moves on the part of ex-

(Continued on Page 4)

M-G-M to Seek Clean Arbitration Slate

Dallas—M-G-M hopes that the first year of arbitration will pass without a single case having been brought against the company, H. M. Richey, director of exhibitor relations, told the Texas Allied convention here.

(Continued on Page 6)

Louis Blumenthal Dies; Hold Services Tomorrow

Funeral services will be held tomorrow for Louis Blumenthal, well-known circuit operator, who died

(Continued on Page 6)

"Fantasia" Seen as Several Milestones

Walt Disney's "Fantasia," given its world premiere at the Broadway Theater last night before a distinguished audience under sponsorship of the British War Relief Society, is not merely one cinematic milestone; it is several of them.

This wedding of immortal melodies, glowing Multiplane Technicolor and cartoon witchery is as breath-taking as the first glimpse of majestic Niagara.

It is as unforgettable as Nature's own masterpiece in color, the Colorado Canyon.

And certainly, within the exhibition confines which Disney himself has prescribed, it is box office.

(For full review, turn to Page 5, for premiere story, see Along the Rialto, Page 4.)

—BAHN.

THE Film DAILY

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FINANCIAL

(Wednesday, Nov. 13)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	6 1/4	6 1/4	6 1/4	0
Col. Pict. vcs. (2 1/2%)	6 1/4	6 1/4	6 1/4	0
Columbia Pict. pfd.	21 1/4	21 1/4	21 1/4	0
Con. Fm. Ind.	9 3/4	9 3/4	9 3/4	0
Con. Fm. Ind. pfd.	9 3/4	9 3/4	9 3/4	0
East. Kodak	142	141 1/4	141 1/4	- 1/4
do pfd.	141 1/4	141 1/4	141 1/4	0
Gen. Th. Eq.	11 1/4	11	11 1/4	+ 1/2
Loew's, Inc.	30 1/4	29 1/2	29 3/4	- 1/2
do pfd.	106	106	106	0
Paramount	9 3/4	9	9 1/4	- 1/4
Para. 1st pfd.	94	94	94	0
Para. 2nd pfd.	103 1/2	103	103	- 3/4
Para. Film	11	10 3/4	11	0
RKO	2 1/2	2 1/2	2 1/2	0
20th Century-Fox	6 1/2	6 1/4	6 3/8	- 1/8
20th Century-Fox pfd.	16 1/4	16 1/4	16 1/4	0
Univ. Pict. pfd.	99	98 1/2	99	- 1/2
Warner Bros.	3 1/2	3	3	- 1/4
do pfd.	3 1/2	3	3	- 1/4

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4	102 3/4	103	0
Loew's deb. 3 1/2s 46	103 3/4	103 3/4	- 3/4
Para. B'way 3 1/2s	50	49 1/2	0
Para. Pict. 6 1/2s	103 1/4	103 1/4	0
Para. Pict. vcs. 3 1/4s 47	103 1/4	103 1/4	0
Warner Bros.' dbs. 6 1/4s 87 1/2	87 1/2	87 1/2	0

NEW YORK CURB MARKET

Monogram Pict.	9-16	1/2	9-16	+1-16
Samotone Corp.	9-16	1/2	9-16	+1-16
Technicolor	9 3/4	9 1/4	9 1/2	- 1/4
Trans-Lux	9 3/4	9 1/4	9 1/2	- 1/4
Universal Corp. vtc.	4 1/8	3 3/4	3 3/4	- 1/8
Universal Pict.	9	9	9	+ 2 1/2

N. Y. OVER-THE-COUNTER SECURITIES

	Bid	Asked
Pathé Film 7 pfd.	.....	.....
Sev. Thea. Office Bldg.	1st '46	.....
Loew's Thea. Realty	65 1st '47	
Mex. Playhouse, Inc.	2nd deb. '45	66 69
Roxy Thea. Bldg.	45 1st '57	62 64

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British Exhibitors Seek Box-Office Stimulants

London (By Cable) — British exhibitors through the CEA, are seeking means to stimulate attendance at U. K. picture theaters. In some areas methods have been put in practice to adapt the film business to war conditions.

Among these attempts, which will be given further study by CEA officials, are earlier opening and closing hours; moves to bring about permission for Sunday shows; shorter programs, and more frequent changes of bills. It is hoped that some means for building up the box-office applicable to all areas affected by Nazi air raids particularly, and to all cinemas generally, may be found.

Shorter programs and more frequent changes of bills will come in for particular attention by the CEA as those methods have had a considerable degree of success where they have been tried out.

CEA General Counsel met in Blackpool yesterday.

Erpi Prexy Must Testify Before Oldden Suit Trial

Federal Judge John Clancy yesterday directed T. K. Stevenson, president of Erpi, to testify before trial on Nov. 20 in the suit against Erpi, AT & T and Western Electric, of Stanley K. Oldden, assignee of Patent Electric Co. Suit involves \$6,000,000 triple damages sought by Oldden for alleged violation of the anti-trust laws in the manufacture and sale of motion picture sound devices and accessories.

Placements of Extras Shrinks 63,727 in 10 Mos.

West Coast Bureau of THE FILM DAILY
Hollywood — For the first ten months of 1940 there has been a shrinkage of 63,727 placements of extra players as compared to the year 1939, according to the report of the Central Casting Corp. This shrinkage represents a decline as compared to same 10 months period of last year, of 24 1/2 per cent.

Duals Plus Seven Acts At RKO Boston Theater

Boston — Beginning today, the RKO Boston returns to a regular schedule of seven acts of vaude and two features.

Wobber Forecasts B.O. Boom

West Coast Bureau of THE FILM DAILY
Hollywood — On his arrival here from New York, Herman Wobber of 20th Century-Fox, declared that business is improving since the election and that he looks for a boom at box offices of picture theaters when defense money gets into circulation.

Bernie at Ampa Meeting

Ben Bernie will be an added guest at today's Ampa meeting.

4-Week Publicity Build-up For "Santa Fe Trail" Bow

West Coast Bureau of THE FILM DAILY

Hollywood — One of the longest build-ups, if not the longest, in industry annals is being plotted by Warners for "Santa Fe Trail," which will have its world premiere in Santa Fe, N. M., Dec. 14. Pix will bow in at \$2.20 top in the Lansie, Burro Alley and Paris theaters.

Warners has established Irving Rubins and Will Yolan in Santa Fe and Albuquerque with a staff of 10 and for the next four weeks, they will work in collaboration with Gov. John E. Miles and the State Chamber of Commerce in publicizing the premiere and Santa Fe Trail days, Dec. 13-15. Some 60,000 visitors are expected.

Program includes a Friday the 13th Fandango, Governor's reception, parade, ball and pilgrimages. As a unique touch, it's planned to bring in some 10,000 Indians, members of Southwestern tribes.

Hollywood delegation will include Errol Flynn, Olivia de Havilland, Raymond Massey, Ronald Reagan, Van Heflin, Alan Hale, "Big Boy" Williams as well as Warner execs.

Freeman Host to Para. Execs. Tomorrow Night

West Coast Bureau of THE FILM DAILY

Hollywood — Y. Frank Freeman will play host tomorrow night at a dinner party in honor of visiting Paramount home office and theater executives who are here studying plans for production during the remainder of the current season and for 1941-42. The meetings will continue throughout the remainder of the week with a number of theater men leaving Saturday and Sunday. Home office executives will remain for additional conferences next week.

20th-Fox Negotiating Triple-Star Series Deal

West Coast Bureau of THE FILM DAILY

Hollywood — If package deal now pending is consummated 20th Century-Fox will release a series of pictures starring Charles Boyer, Ronald Colman and Irene Dunne, directed by Lewis Milestone and Anatol Litvak. The deal would be for three years with the unit furnishing two to three pictures annually with financing by the studio. Charles Feldman is representing stars and directors, and William Hawks is slated to be business manager of the unit.

"Arizona" Pioneer Week Brings F.D.R.'s Greetings

Tucson, Ariz. — President Roosevelt has sent his greetings and well wishes to Mayor H. O. Jaastad in observation of the state's Pioneer Week, proclaimed by Governor Jones in observation of the five-theater world premiere of Columbia's Wesley Ruggles production, "Arizona," tomorrow night.

COMING and GOING

WILLIAM DIETERLE and his wife are here from the Coast for a vacation. They are staying at the Waldorf.

ROY HAINES, Eastern and Canadian sales manager for Warners, leaves today for visits to the Cleveland and Cincinnati offices, returning to the home office Monday.

NORMA SHEARER is here for a short visit.

KENNETH KENNA, Metro story editor, returns to the Coast tomorrow.

NORMAN H. MORAY, short subjects sales manager for Warners, arrives in Los Angeles Monday after a swing through the company's exchanges.

MAX WOLFE, of the Loew's home office, inspected the Hartford Loew-Poli houses, accompanied by HARRY SHAW, division manager.

LEO SPITZ is in Hollywood.

R. M. SAVINI, president of Astor Pictures, leaves by plane tonight for Chicago on the first of a two-week business trip through the Midwest.

SAMUEL NEAMAN, owner and operator of the Roxy Theater, Natrone, Pa., is vacationing in Florida.

LOUISE ROUSSEAU, Pathe News short subject director, is here from the Coast.

M. R. LEEDER, Cuban film executive, will arrive here in a couple of weeks from Havana.

CARMEN MIRANDA arrives on the Coast Sunday.

RALPH BELLAMY, MRS. BELLAMY, D. P. BERG, Hollywood agent, and his wife, LEILA HYAMS, arrive here tomorrow on the Santa Rosa after a West Indian cruise.

NAT LEVY, RKO Radio's Eastern district manager, and CHARLES ZAGRANS, exchange manager at Philadelphia, were visitors at the home office yesterday.

TERRY TURNER, head of RKO Radio's field staff, is back at the home office after a tour with Charles Lughton, followed by a visit to the studios.

Charles Staples Killed As R.A.F. Plane Crashes

Calais, Me. — Charles "Dee" Staples, 25, son of Charles E. Staples, part owner of the State Theater here and the Queen in St. Stephen, N. B., twin border towns, was killed when a R.A.F. plane accidentally crashed in England. Staples, who was a pilot, enlisted in the R.A.F. a year ago. He leaves a widow, infant son, his parents and a brother.

London Theater Bombed

London (By Cable) — Nazi aerial raiders scored a direct hit with a bomb on a crowded theater here. There were casualties.

TO SPEED TELEGRAMS
AT LOW COST—PHONE

Postal
Telegraph

CHARGES FOR TELEGRAMS
"PHONED IN APPEAR ON YOUR
TELEPHONE BILL."

Extra! THE NEW ESCAPE CLAUSE!

In the event that a picture should immediately establish itself as a sensational box-office attraction —

For instance, if it should be playing a 3rd week at Radio City Music Hall, N. Y. and continue to do outstanding business—

Likewise, if in all early bookings such as cities like Philadelphia, San Francisco, Detroit, Denver, Akron, Cleveland, Harrisburg, Reading, Memphis, etc., it should be an extraordinary commercial success —

In such an instance, it is agreed that the showmen of America should clear their booking schedules to permit long and successful extended engagements of such a picture.

Such a picture is M-G-M's "ESCAPE" starring NORMA SHEARER, ROBERT TAYLOR with Conrad Veidt, Nazimova, Felix Bressart, Albert Bassermann, Philip Dorn, Bonita Granville. A Mervyn LeRoy Production. Screen Play by Arch Oboler and Marguerite Roberts. Based on the novel "Escape" by Ethel Vance. Produced by Lawrence Weingarten. Directed by Mervyn LeRoy.

"Big 5," Gov't Unite In Decree Defense

(Continued from Page 1)

hibitors were discussed at the meeting, it was reported, and counter moves by the defenders of the decree were mapped. In addition, attorneys discussed the necessary formalities for presenting the signed decree to the Court. Government attorneys explained that it was important for all technical requirements to be complied with preliminary to the presentation of the decree.

The decree has been circulating for the past few days among the officers of the various negotiating companies for the purpose of obtaining the necessary signatures. Government attorneys attending yesterday's conference were James V. Hayes, Robert Sher, Seymour Simon and J. Stephen Doyle, all special assistants to the Attorney General.

Three possible developments can result from today's hearings. The first and most likely result is that Judge Goddard will not allow those who are not parties to the suit to influence him, meaning that he will give the document his approval.

Second possibility is that he will send the decree back with suggestions for further revisions, and last and least likely, he will reject the entire document.

Opponents of the decree are expected to ask Judge Goddard to defer approval until the exhibitors can file formal objections. It is the contention of some that even if the decree is signed by the judge, relief can be sought in another court.

Well-informed sources expressed the conviction yesterday that, in order to concentrate exclusively on the consent decree itself at today's hearing, no motion seeking permission of the Court to formally file the new amended complaint draft would be offered, but that such motion would be made at a later date.

Ira H. Cohn Week In Drive

Pittsburgh—In commemoration of the anniversary of his twelfth year as local branch manager, the 20th Century-Fox exchange has dedicated the last week of their national drive, ending Dec. 14, as "Ira H. Cohn Week."



● ● ● YES, "Fantasia" opened at the Broadway Theater last night but something more than that.....namely, amazing new avenues of screen entertainment.....of which the Disney opus is the courageous, colorful pioneer.....courageous because it dared to blaze untried trails.....colorful because, in addition to its glorious Technicolor hues, it possesses the characteristics.....which give life, vivacity and imaginative intensity to a work of art.....which "Fantasia" is decidedly.....Too, the picture is a work (and a big one) of science, melding as it does realistic and impressionistic animation.....unique advances in recording and reproduction.....employment of the newly evolved RCA Fantasound.....and Multipane photographic technique at a new height of development.....to name a few factors.....

● ● ● WHAT is "Fantasia"?.....Right off, it is the conversational topic.....which is the successor to the recent national election.....Certainly this is so in filmland's ranks.....as well as among all those segments of the public which have seen the attraction.....Everyone appears to differ as to the exact genus of "Fantasia".....It strikes this corner as an unprecedented composite.....Fundamentally, it is a series of magnificent short subjects held firmly together by narrative introductions to each component by Deems Taylor.....These narrative introductions form some of the most impressive and delightful footage.....because Disney brings on The Philadelphia Orchestra and the renowned Leopold Stokowski.....via visual patterns ranging from silhouettes to life-like cameos of both the conductor and the instrumentalists.....Often, these cameos flash vibrant, hot-metallic color-values born of light flashing on the copper shells of tympanies.....the brass of trumpets, trombones and French horns.....or the rich and ruddy expanse of a bass violin.....Again, what is "Fantasia"?.....It's a pageant of pictures interpreting compositions of Bach, Tchaikowsky, Dukas, Stravinsky, Beethoven, Ponchielli, Moussorgsky and Schubert.....It is not being facetious to say that "Fantasia" is the attainment of paradise by the illustrated song.....

● ● ● ONCE more, what is "Fantasia"?.....It's Disney et al at their best.....It's the closest and finest joining to date of music and films.....It's seeing the former and hearing the latter (that's what the souvenir program says, and 'tis so).....Other things the Disney production is.....a champagne oasis for audiences.....celluloid catnip for music lovers.....ditto for Walt's grand army of followers.....an emotional adventure.....a vehicle of beauty, humor, tragedy, romance, amazement and excitement.....a couple of industry milestones.....and—husky competition for all houses unable to play it.....

● ● ● NOTABLES of society, industry and public life.....thundered their approval of "Fantasia" at last night's opening.....Applause came from such distinguished hands as Mrs. Helen Huntington Astor, Mr. and Mrs. Walter Baker, Mrs. Hugh E. D. Auchincloss, Mrs. Henry Whigham, Mrs. Kermit Roosevelt, Mr. and Mrs. Winthrop Aldrich, John Hay Whitney, Mrs. Joseph Willard, Mr. and Mrs. George J. Schaefer, Major Edward Bowes, David O. Selznick, Elizabeth Arden, Mr. and Mrs. Walt Disney, Mr. and Mrs. Roy Disney.....Leopold Stokowski, Mr. and Mrs. Deems Taylor, Spyros Skouras, Phil Reisman, Jules Levey, Ned E. Depinet, Jules Brulatour, David A. Sarnoff, Arthur Loew..... Just those few names will give an idea of the texture of the audience.....who purchased their seats to aid the British War Relief Society, Inc.....We can't recall any audience surpassing this in brilliance.....We bend the knee to.....Disney!.....

500 to Attend Meet Of Board of Review

(Continued from Page 1)

witness "Fantasia," and tonight the conferees gather at New York University's School of Education to view a film program consisting of the Joris Ivens-directed RKO Radio documentary, "Power and the Land"; "Valley Town," directed by Willard Van Dyke and made available to the NBR program through courtesy of Educational Film Institute; and the Gaumont-British "The Face of Britain," directed by Paul Rotha.

Evening program will be under the auspices of Dr. Frederic M. Thrasher, professor of education at NYU, and a member of the NBR board of directors. A highlight of the session tonight will be the address by Richard Griffith of the Museum of Modern Art Film Library.

Tomorrow's setup calls for morning and afternoon meetings at the Hotel Pennsylvania. At former, Dr. Francis D. Tyson of NYU's department of economics and member of the Motion Picture Council of the National Board of Review will preside. Judge Stephen S. Jackson, Director of the Bureau of Juvenile Delinquency, will speak on "Movies and Juvenile Delinquency"; Mrs. Ralph T. Edwards, motion picture editor of Parents' Magazine, on "Children and Movies"; Oliver T. Griswold, representative of Rural Electrification Administration, on "Government Departmental Films"; and Vyvyan Donner of 20th-Fox Fashion Forecasts, on "Styles Are Serious."

The afternoon session at 2:30 o'clock will find Dr. Walter W. Pettit, director of the New York School of Social Work, presiding. Speakers and their topics are: Ilka Chase, film and radio commentator, "Fashions Can Be Funny"; Mark Starr, educational director of International Ladies Garment Workers Union, "Adult Education Through Movies"; Virgil Thomson, music critic of the New York Herald Tribune and composer of the music for "The Plow That Broke the Plain" and "The River," will speak on "Composing for the Movies"; and Margaret Thorp, author of "America at the Movies," "The Audience Discovers the Director."

Saturday morning will be given over to the 4-Star Clubs' activities, Dr. Frank Astor presiding, and the Conference will terminate with the 26th Annual Luncheon.

"What's New About Smellies?," He Asks

That Detroit "Smellies" Page 1 box in your favorite trade paper yesterday got a quick reaction, witness this wire, signed "Exhibitor," received during the afternoon:

"What's new about 'smellies' in the theater and, furthermore, why do we need the Aromatic company to do the injecting for us? Aren't we satisfied with what the picture companies give us every now and again?"

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"The Letter"

with Bette Davis, Herbert Marshall, James Stephenson

Warners 95 Mins.
SPLENDID DRAMATIC STORY BRILLIANTLY ENACTED BY A FINE CAST. WITH PRODUCTION AND DIRECTION TOP NOTCH.

Keyed by a brilliant performance by Bette Davis, Somerset Maugham's splendid dramatic story has been brought to the screen with fidelity and gripping emotional power by Warners, the cast and director William Wyler. The production is opulent, the direction deft, the performances by the entire cast excellent, and the technical work is way above par. Certainly exhibitors have a wealth of material to use in merchandising the picture, marquee "names," a lustrous tropical setting and a highly dramatic story by a noted author.

Audiences generally should give the picture a warm reception, particularly women. It should have a strong appeal for women as the story is one that conceivably has happened to many women, although most likely in more drab surroundings, and certainly without the dramatic fireworks provided by Maugham.

Director Wyler's crafty hand is apparent throughout the picture, guiding the players skillfully, making the most of every tense situation offered by the script and getting Miss Davis to play one important and fairly long scene with her back to the camera. Miss Davis enacts her role with consummate skill, sympathetic to the part and smoothly shading her lines to get the most from every sentence. Herbert Marshall perfectly fits his role. But James Stephenson in a juicy characterization runs the two top-billed stars a close race for acting laurels, giving a sparkling performance that leaves nothing to be desired. Gale Sondergaard, Frieda Inescort, Bruce Lester, Sen Yung and Willie Funz are valuable additions to the cast.

A corking job of photography is turned in by Tony Gaudio, with the camera work adding much to the picture's lustre. Max Steiner also rates a hand for a moving musical score, and the entire technical crew.

The story itself opens on a note of savage drama. Miss Davis shoots a man. Her husband, Marshall, and friends believe her story that he had made advances, but Stephenson, family friend as well as their lawyer, suspects her story is untrue. He discovers it is, but compromises himself to get back a letter she had written the murdered man. Finally, after being acquitted by a jury, Miss Davis admits to Marshall she loved the dead man, and with another savage burst of drama Miss Davis is murdered by Miss Sondergaard, wife of the murdered man. Possibly the pace in between may seem leisurely, but the undertone of things to come is always there, and Wyler skillfully keeps the story semi-suspenseful, maintaining audience interest.

Picture should rate high among the best offerings of the year, and it should be a winner at the box office for all concerned.

CAST: Bette Davis, Herbert Marshall, James Stephenson, Frieda Inescort, Bruce Lester, Elizabeth Earl, Cecil Kellaway, Sen Yung, Doris Lloyd, Willie Funz, Tetsu Komai.

CREDITS: In charge of production, Jack L. Warner; Executive producer, Hal B.

(Continued on Page 7)

"FANTASIA"

with Leopold Stokowski and the Philadelphia Orchestra

Walt Disney

120 Mins.

NOT MERELY ONE CINEMATIC MILESTONE, BUT SEVERAL OF THEM: AND AS CERTAINLY, IT IS BOX OFFICE FOR CLASS AUDIENCES.

Walt Disney's "Fantasia" is not merely one cinematic milestone; it is several of them. This wedding of immortal melodies, glowing multiplane Technicolor and cartoon witchery is as breath-taking as the first glimpse of majestic Niagara.

It is as unforgettable as Nature's own masterpiece in color, the Colorado Canyon.

It is as satisfying as the personal discovery of Schubert . . . and Disney crowns "Fantasia" with Schubert's magnificent "Ave Maria."

It is as thrilling and stirring as the touchdown which wins the game while the final whistle blows.

And as certainly, within the exhibition confines which Disney himself has prescribed, it is box office.

Indeed, only time, and the experience which comes with time, will determine the extent of its potential audience. Disney, himself cautious, well may be pleasantly surprised—most pleasantly surprised.

Weighed critically as a motion picture, and fundamentally that it is, "Fantasia" charts two courses as an industry guide for things to come. Through RCA's Fantasound, with its amazing third dimensional effect, and tonal purity, it opens new vistas in the recording and reproducing field. Here, you find the startling, uncanny illusion of sound moving with the screen's action.

But it is not in this respect alone that the art and the technique of the motion picture stride forward in the proverbial seven league boots. Disney and those associated with him in the enterprise have interpreted Bach and Tchaikovsky, Dukas and Stravinsky, von Beethoven and Ponceilli, and Moussorgsky and Schubert on the screen with all the brilliancy, all the understanding and all the exquisite mastery of shading that distinguishes Conductor Leopold Stokowski's reading of the respective scores.

This is not to say that the melodic works selected for the Philadelphia Orchestra and Disney collaborative effort form the perfect program; musical taste and appreciation are highly personal. But if Disney's objective was to establish and demonstrate the range of which the new medium is possible—and it is to be assumed that was the case—then the selected program appraises as ideal.

And, bearing on the box office value of "Fantasia," the picture is virtually ageless. So long as prints can be struck, so long as the theatrical equipment required can be manufactured, there will be a market for "Fantasia." Further, it must be an ever-growing market, thanks to continuing marked progress in musical appreciation.

It would be foolhardy to hail "Fantasia" as Disney's crowning achievement; his bag of tricks is too prodigious for that, and who can say of the future? Yet this may be said: Never has his imagination had fuller play, never have his creative faculties been as fully employed. There is a tip-off in the very opening of the picture. Cast aside are the conventionalities—the title, sub-title, array of credits.

Instead, against the drapes, not the screen, move the forms of musicians, in silhouette. You sense that the Philadelphia Orchestra is taking the stage. The curtain is drawn. More silhouetted movement. Then flashes of color to spot instruments, and with this, the sound of tuning, with Fantasound the whole working its first magic.

Deems Taylor, the perfect commentator, appears, has his say; Stokowski mounts the podium, the concert begins. First number is Bach's "Toccata and Fugue," an example of absolute music. Disney provides the only seemingly possible interpretation—kaleidoscopic, sans story. The designs, some geometric, are infinite in their variety.

From Bach, Disney and Stokowski turn to the entrancingly beautiful "Nutcracker Suite" of Tchaikovsky, and the former gives full rein to his imagination. Purest fantasy, this, with the ballet music inspiring Dewdrop Fairies, Hop Low and the Mushroom Dancers (one of the outstanding delights of the program), the Blossom Ballet, the Water Ballet, the Thistle Boys and Orchid Girls, not to mention the Autumn Fairies, Milkweed Ballet, Frost Fairies and Snowflake Fairies.

As was perhaps inevitable, Mickey Mouse is the piece de resistance of Disney's highly amusing concept of Dukas' "The Sorcerer's Apprentice." In Stravinsky's revolutionary "Rite of Spring," which follows to conclude the first part of the program, Disney found inspiration for a daring treatment of the story of creation. Longest of the compositions, Disney uses the 20 minutes to picture earth's first two billion years. Call it explosive, call it dynamic, call it grimly awesome; with its monsters and dragons and horrific flying creatures, it is all of that.

For the second half of the program, there are Beethoven's ever-lovely "Pastoral Symphony," Ponceilli's light "Dance of the Hours," Moussorgsky's weird "Night on Bald Mountain" and Schubert's glorious "Ave Maria." Disney fills the first named with winged horses, fauns, cupids, centaurs, centaurettes, then adds, for generous measure, Zeus, Vulcan, Iris, Apollo, Diana and Morpheus. To many, what Disney achieves here will be outstanding in the program.

"Dance of the Hours" is a genial travesty, more or less effective in execution.

(Continued on Page 7)



WALT DISNEY

"You'll Find Out"

with Kay Kyser, Peter Lorre, Bela Lugosi, Boris Karloff

RKO

97 Mins.

MYSTERY MUSICAL COMEDY IS NOVEL AND HIGHLY AMUSING; SWELL POP ENTERTAINMENT.

Liberally sprinkled with hokum, lots of good laughs and the "smooth" music of Kay Kyser and his orchestra, this new RKO offering emerges as a surprise package of swell popular entertainment. It should get a very good reception from audiences generally. Picture has a fast head start at the box office via the medium of radio and other engagements which has brought Kyser a large following of fans, and certainly in three bogey men of Hollywood and a combination musical-comedy-mystery, exhibitors have a wealth of exploitable material to work on.

There are laughs aplenty from beginning to end and the picture even kids itself before it is over with amusing results. The story is an amusing fable that audiences won't take too much stock in although a sufficient amount of mystery and menace has been injected into the script to keep people tense and hold their interest, but comedy sequences smartly break up the more chilling scenes. Presenting a band leader and his orchestra to advantage in a full-length movie presented a task in itself, and the chore has been turned out in a highly satisfactory fashion.

Kyser appears to advantage in the picture, playing himself and acting natural, something some actors never can learn to do. Lorre, Lugosi and Karloff fill their roles ably; Dennis O'Keefe is a personable addition to the cast, and Helen Parrish, Alma Kruger and Joseph Eggenston are helpful additions to the cast. Ginny Sims, Kyser's attractive female vocalist, puts over several numbers in a pleasing fashion, Harry Babbitt and Sully Manen contribute some more songs, and Ish Kabibble, ork member and comedian of the crew, will get a lot of heavy laughs. David Butler gets credit for fashioning the picture into a smoothly geared film that has entertainment value plus.

Story is laid in a huge house where Kyser goes to play for the twenty-first birthday of Miss Parrish. The villains are attempting to kill her because of a secret will which would give her the entire estate and end their confidence game. From there on the boys stumble around in secret passages and everything happens that the script writers could think of, with Lorre and company getting their just deserts at the fadeout.

CAST: Kay Kyser, Peter Lorre, Boris Karloff, Bela Lugosi, Helen Parrish, Dennis O'Keefe, Alma Kruger, Joseph Eggenston and Kay Kyser's Band featuring Ginny Sims, Harry Babbitt, Ish Kabibble and Sully Manen.

CREDITS: Producer and Director, David Butler; Screenplay, James V. Kern; Story, David Butler and James V. Kern; Assistant Director, Fred A. Fleck; Art Director, Van Nest Polglase; Musical Director, Roy Webb; Special Effects, Vernon Walker; Cameraman, Frank Redmond; Editor, Irene Morra. Special Sound and Musical Effects by Sonovox.

DIRECTION, Smart. PHOTOGRAPHY, Good.

Starts Tuesday Openings

Boston—The Trans Lux theater has shifted to Tuesday from Thursday openings.

1940 Mexican Production to Show Decline of 66%

Maximum Number of Features for This Year, 22; Expect Spurt During '41

(Continued from Page 1)

marking a spurt which seemed to point to a revival in production, only two were completed last month. Of the 19 films made in the first 10 months of 1940, no more than 10 have been released to this date. Most of the films which have occupied Mexican screens this year were made in previous seasons.

Of native film makers, only Grovas y Cia. (Grovas-Oro Films), Producciones Fernando de Fuentes, Producciones Azteca (Alfonso Sanchez Tello), Producciones Miguel Contreras Torres (Colonial Films) and Producciones Rafael Arzos have two pictures each to their credit in 1940.

See Spurt in 1941

Nevertheless, there is a marked optimistic feeling in local picture circles that 1941 will see a definite revival of production activities. Confidence has been expressed in some quarters that the coming year may even prove to be the native industry's biggest year. Current activities and preparations tend to make this confidence well grounded.

Two new pictures were finished last week at the Estudios Cinematograficos Azteca. One was Rafael Arzos' production of "El Milagro del Cristo" (The Christ's Miracle), with Arturo de Cordova, Maria Luisa Zea, Manuel Noriega, and Eduardo Arozamena topping the cast under Francisco Elias' direction. The distribution will be handled by Victoria Films. The second was Producciones Fernando Mendez' "El Monje Loco" (The Mad Monk), with Alicia Ortiz, Raul Baledon, Arturo Soto, Miguel Inclan, Elena de la Cruz, Miguel Arenas y Tito Junco as principals. The opus is a six-chapter serial which Alejandro Galindo scripted and directed from the most popular radio serial of the last two years. Iracheta and Elvira will distribute.

The past week saw two new stories go on the floor. Grovas-Oro Films' "Al Son de la Marimba" (As the Marimba Played), which Juan Bustillo Oro scripted in collaboration with Humberto Gomez Landero and the former is megaphoning himself, with Fernando Soler, Emilio Tuero, Marina Tamayo, Joaquin Paravede, Sara Garcia, Virginia Serret and Lolita Camarillo topping the cast, went before the cameras at the studios of Cinematografica Latino Americana (CLASA). Producciones Independientes' "El Zorro de Jalisco" (The Jalisco Fox), which Jose Benavides is directing, with Pedro Armendariz, Consuelo de Alba, Emilio Fernandez and Augustin Isunza heading the cast, is occupying stage 3 at the Estudios Cinematograficos Azteca.

Production Stepped Up

Immediate production plans cer-

American Films Show Increase in Argentina

Washington Bureau of THE FILM DAILY

Washington—Films released in Buenos Aires for the first eight months of 1940 number 310, of which 231 were U. S. productions, the Commerce Department reports. This is an increase over the same period of 1939 when a total of 306 pictures were released and 205 were of American origin.

Louis Blumenthal Dies; Hold Services Tomorrow

(Continued from Page 1)

Tuesday night after a long illness, Blumenthal, who was 56 years old, had been active in the theatrical business for the last 30 years and was a partner in the French Casino. He was one of the founders of the old Exhibitors Trade Review in 1916. In recent years he had been in the real estate business. Services will be held from his home in Tuckahoe, N. Y.

FitzPatrick Preparing Capt. Cook Pic For M-G-M

(Continued from Page 1)

script on his island in Puget Sound. This is the Technicolor feature that FitzPatrick was to have produced last season but was postponed because of script complications. He will make the picture in the Hawaiian Islands.

SPG Would Bargain for "U" Publicity Workers

(Continued from Page 1)

were held last week to establish the SPG as collective bargaining agent for publicity employees in the other seven majors.

Jones Succeeds Turner

Chicago—Warren Jones, has been named B & K booking manager, succeeding the late Max Turner.

tainly make it look as if the expected revival were here already. Films Mundiales is rushing production of "Ay, Que Tiempos, Señor Don Simon!" (Those were the Days, Don Simon!), which stage-director Julio Bracho will direct as his first screen effort from an original of his own. Chano Urueta is getting ready to start shooting what will be the third screen version of Federico Gamboa's famous novel, "Santa," which will star Dolores del Rio, and was brought down from Hollywood especially for the part.

Producciones Raul de Anda late this month will launch "Rancho Alegre" (Gay Ranch), with Carlos ("El Chafan") Lopez, Raul de Anda, Carmen Conde and Emilio Fernandez. Raul de Anda will direct. Director Raphael Sevilla will soon send before the cameras his new production for his own Rex Films, "La Torre de los Suplicios" (Torture Chamber), which will have Virginia Serret in her first starring role.

New Pictures Bow In

Meanwhile, on the exhibition side, Miguel Contreras Torres' production

Illinois UTO to Co-op With the St. Louis MPTO

(Continued from Page 1)

UTO are Mrs. I. W. Rodgers of Cairo, Ill., whose husband was the first president of the local MPTO; Noah Bloomer of Belleville, S. E. Pirtle of Jerseyville, F. C. Souttar of St. Louis, Robert C. Cluster of Salem, Ill., and George Barber of Village Grove, Ill.

Bloomer and Souttar are members of the MPTO board of directors, while I. W. Rodgers, Pirtle and Cluster are vice-presidents of that organization.

Commenting yesterday, President Fred Wehrenberg of the MPTO stressed that the UTO "is in a fine position to watch legislation and other matters that are particularly of interest to the owners and managers of theaters in Illinois."

"The Illinois theater men will expect the MPTO Theater Owners of Illinois to protect their interest in state matters while on national and interstate matters, where both Illinois and Missouri exhibitors are affected, they will turn to the MPTO for guidance," Wehrenberg added.

Price-Phillips Exchange

Ben Price and Sam Phillips, both formerly with the Big U exchange here, have opened their own exchange at 630 9th Ave. Formal "house warming" will be held tomorrow.

of "Don Juan Manuel, Man or Devil" (Hombre o Demonio) for Colonial Films, played the first-run Cinema Palacio two weeks. The yarn, a horror story laid in the XVIIIth century in New Spain, was directed by Miguel Contreras Torres, with Medea de Novara, Arturo de Cordova and Julio Villarreal topping the cast. The smart first-run Teatro Rex premiered Raphael J. Sevilla's "El Secreto de la Monja" (The Nun's Secret), which he himself megaphoned for Rex Films. A romantic costume piece, it has Lupita Gallardo in the best part she ever had, Jose Crespo, Rene Vardona, Elena d'Orgaz, Julio Villarreal and Carlos Orellana in top roles. The production is adequate and the picture was smoothly handled and acted with charm.

Producciones Grovas-Oro Films' production of "Ahi Esta el Detalle" (That's the Question) continues its phenomenal run, having played three consecutive weeks at the second-run Encanto, which seats 4,000, following its three-week engagement at the Cinema Palacio where it broke the all-time record for that shop.

M-G-M to Seek Clean Arbitration Slate

(Continued from Page 1)

Richey expressed the opinion that any grievance or dispute could be settled by talking it over with the branch manager before going to the expense of arbitration.

Richey assured the delegates that M-G-M would live up to the letter of the consent decree and would not try to take advantage of legal loopholes.

In regard to assisting exhibitors in obtaining greater revenue, Richey said that M-G-M would spend \$250,000 this season in its attempt to pre-sell its pictures to the public in the nation's leading magazines and newspapers.

Texas Allied yesterday doubled its budget for next year and elected officers. Exhibs. stated it was the unit's best convention in attendance and interest in years. Ten new members were signed at the convention. Amount of the doubled budget was subscribed and additional financial support as needed was pledged.

A highlight of the meeting was Sidney Samuelson's outline of the Allied Information Department and his advocacy of its service and value to exhibitor members of the organization. Enthusiasm aroused by his report and his speech presages future support of AID from Texas.

Among other speakers was E. C. Mills of Ascac.

Texas Allied endorsed the resolutions previously endorsed by other state associations sustaining the services of AID as represented by Sidney Samuelson and particularly his correspondence with Columbia Pictures for information relating to the operations of Allied members.

Officers elected were, Col. A. H. Cole, president; vice-presidents, Mrs. Martha McSpadden, Reuben Freis, R. M. Smith, H. S. Leon; secretary-treasurer, Jack Lille.

Disputes Under DG Pact To Be Arbitrated by AAA

(Continued from Page 1)

tween them, following the approval of a basic pact on Tuesday. The pact covers the backing and purchasing of plays for pictures.

Belle Kanter With Gloria Jean

Belle Kanter, who handled publicity for Universal both in New York and Hollywood, is managing Gloria Jean's p. tour in key cities en route to Hollywood.

Seven More Hold "Escape"

"Escape" has been held over in seven more of its initial key city engagements, M-G-M reported yesterday.

Define Arbitration District Boundaries

(Continued from Page 1)

The boards will be in the following cities to which exhibitors in the areas mentioned after the name of each city will take their cases:

SEATTLE—Washington and Northern Idaho.

PORTLAND—Oregon except a small section in the extreme South Central portion.

SAN FRANCISCO—Northern California and Western Nevada.

LOS ANGELES—Southern California and Arizona.

SALT LAKE CITY—Southern Idaho, Eastern Nevada, Utah and Montana.

DENVER—Wyoming, Colorado, New Mexico, Western South Dakota and Western Nebraska.

MINNEAPOLIS—North Dakota, Eastern South Dakota and Minnesota.

OMAHA—Eastern Nebraska and a small strip along the Western border of Iowa.

KANSAS CITY—Kansas and Western Missouri.

DES MOINES—Iowa except Western border.

OKLAHOMA CITY—Oklahoma and the Eastern half of the Texas Panhandle.

DALLAS—Texas except Eastern half of Panhandle.

MILWAUKEE—Wisconsin and the upper peninsula of Michigan.

CHICAGO—Northern Illinois and a strip of Northern Indiana.

ST. LOUIS—Eastern Missouri and Southern Illinois.

MEMPHIS—Arkansas, Northern Mississippi and extreme Western Tennessee.

NEW ORLEANS—Louisiana, Southern Mississippi, Southwestern Alabama and the upper Eastern border of Florida.

INDIANAPOLIS—Indiana and Western Kentucky.

CINCINNATI—Southern Ohio, Eastern Kentucky and Western West Virginia.

ATLANTA—Georgia, Florida, most of Alabama and most of Tennessee.

CHARLOTTE—North and South Carolina.

WASHINGTON—Maryland, Virginia and District of Columbia.

PITTSBURGH—Western Pennsylvania and Eastern West Virginia.

CLEVELAND—Northern half of Ohio.

DETROIT—Michigan except the upper peninsula.

BUFFALO—Western New York.

PHILADELPHIA—Eastern Pennsylvania, Southern New Jersey and Delaware.

ALBANY—Northeastern New York.

NEW HAVEN—Connecticut.

BOSTON—Massachusetts, Rhode Island, Vermont, New Hampshire and Maine.

NEW YORK—Southern New York, Northeastern New Jersey.

REVIEWS OF NEW FILMS Rise in Film Firm Earnings Forecast

"FANTASIA"

(Continued from Page 5)

"Night on Bald Mountain," with its flying skeletons, its yawning graves, malignant Evil One, is horrific . . . as horrific as Poe, say.

Then, in sharp contrast, the finale, "Ave Maria," with Fantasia cunningly employed to fill the theater with Schubert's music while across the screen a band of hooded pilgrims bearing torches went their way. Nothing more impressive has ever graced screen or stage. Rachel Field's new lyrics are sung by Juliette Novis.

Such, briefly, actually, despite the space, is "Fantasia."

From the standpoint of color and its use, the picture is distinctive. Probably never before has there been such masterly employment of Technicolor pastels. The delicacy is something at which to marvel long after the picture has ended.

CREDITS: Produced by Walt Disney. Music by Leopold Stokowski and the Philadelphia Orchestra. Comment by Deems Taylor. Production supervision, Ben Sharpsteen. Story direction, Joe Grant and Dick Huemer. Musical direction, Edward H. Plumb. Musical Film Editor, Stephen Cislak; Recording, William E. Garity, C. O. Slyfield, J. N. A. Hawkins. Direction, "Toccata and Fugue," "Nutcracker Suite," Samuel Armstrong; "Sorcerer's Apprentice," James Algar; "Rite of Spring," Bill Roberts; "Pastoral Symphony," Hamilton Luske, Jim Handley, Ford Beebe; "Dance of the Hours," T. Hee and Norm Ferguson; "Night on Bald Mountain" and "Ave Maria," Wilfred Jackson.

DIRECTION, Outstanding. PHOTOGRAPHY, Magnificent.

"The Letter"

(Continued from Page 5)

Wallis; Associate producer, Robert Lord; Director, William Wyler; Screenplay, Howard Koch; Based on a play by W. Somerset Maugham; Cameraman, Tony Gaudio; Editor, George Amy.

DIRECTION, Excellent. PHOTOGRAPHY, Excellent.

N. Y. Dailies See "Fantasia"

N. Y. TIMES: "Motion Picture history was made at the Broadway last night with the premiere of 'Fantasia.' It boldly reveals the scope of films for imaginative excursion. Thoroughly delightful and exciting in its novelty that one's senses are captivated."

N. Y. HERALD TRIBUNE: "A brave and beautiful work. Marks a milestone in the development of a particular branch of the cinema. Often downright bewitching."

Warners Show Vitasound At "Santa Fe" Debut

West Coast Bureau of THE FILM DAILY

Hollywood—"Vitasound," new control system developed by Warner Bros. in co-operation with RCA engineers, will be introduced with "Santa Fe Trail" which will have its world premiere Dec. 14 in Santa Fe, N. M.

A second sound track on release print regulates the sound control and is said to make possible startling improvements in results in theaters. About the only added expense involved is a \$40 attachment on printing machines and a probable \$1,500 investment for additional amplifiers and horns in theaters.

This new method is advantageous in that it requires no additional equipment or change in technique in the shooting of pictures.

"Blackout" Set In Globe

"Blackout," which UA is releasing here, will have its New York premiere at the Globe Theater following the engagement of "Angels Over

Warner Studio Castings

Hollywood—Warner Bros. has cast Olivia de Havilland, George Brent and Jeffrey Lynn for leading roles in "Miss Wheelwright Discovers America" which Kurt Bernhardt, instead of Edmund Goulding, will direct. Knox Manning was added to the cast of "Meet John Doe."

Miss America in Two P.A.'s

Wilmington, Del.—Miss America 1940 will make p.a.'s today at the Park and Strand Theaters.

(Continued from Page 1)

bearing on final results in the near future. Under normal conditions, gross revenues of the motion picture industry tend to follow fluctuations in general business activity.

"With some appreciable lag, trends in the number of theaters in operation, admission prices and theater attendance have changed directly with the rise and fall in industrial payrolls. Revenues of the producing organizations are keyed to theater receipts by virtue of the fact that films are distributed in the main on a percentage rental basis. In addition, the major companies have a direct interest in the exhibiting division through theater operating subsidiaries. In this respect, PX leads with some 1,400 theaters, while WB follows with 475, TF with 520 (42 per cent interest) and LW with 157, which are of relatively large size.

"As well as by current gains in consumer purchasing power, the prospect for some improvement in earnings on an industry basis during the present season is enhanced by the fact that the rising cost trend has met a check. Individual company reports are likely to continue erratic, inasmuch as the box-office appeal of particular release remains an unpredictable quantity."

A ★ M ★ P ★ A

luncheons are the talk of the industry. You miss something really worth while if you don't attend. For instance, this week we are happy to present—

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Vice President—National Broadcasting Co.

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"YOU'RE IN THE SHOW BUSINESS TOO!"

(Rather Provocative—Eh, What?)

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12:45 Sharp

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PERSIAN ROOM

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famous Persian
Room and enjoy
dinner dancing
to the nation's leading
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LOUIS NIZER, distinguished attorney and toastmaster to the great, has written a unique book—filled with exciting anecdotes, brilliant witticisms and profound learning.

I am sure the four-lane road which leads to the densely populated kingdom known as Banquets is paved in after-dinner speeches. LOUIS NIZER is an outstanding exception. His is a genius for the kind of brilliant interpretation that is exemplified over and over again in **THINKING ON YOUR FEET**.

Fannie Hurst

THINKING ON YOUR FEET is an extraordinary, exciting book which by its vast spiritual horizon transcends the author's charm to embrace the significant problems of our time. The hours which I spent reading this book were stimulating . . . and I do not doubt the American public will give it a most comprehensive and gratified reception. . . .

Thomas Mann

As Goethe said, the poems of "circumstance" are the best because they are the only ones taken directly from life. Each one of Louis Nizer's addresses is a "poem of circumstance": a real poem in prose which unites the passing moment to something which does not pass, which binds the fugitive incident to eternity. This is a great book, it is an enchantment. . . .

Maurice Maeterlinck

From its silent pages rises a fascinating eloquence retaining an amazingly human and vibrant quality that may well inaugurate a new school of expression! It is one of those exciting adventures in thinking that one meets all too rarely these days; an adventure that you may never experience if you miss **THINKING ON YOUR FEET**. It will conquer you. . . .

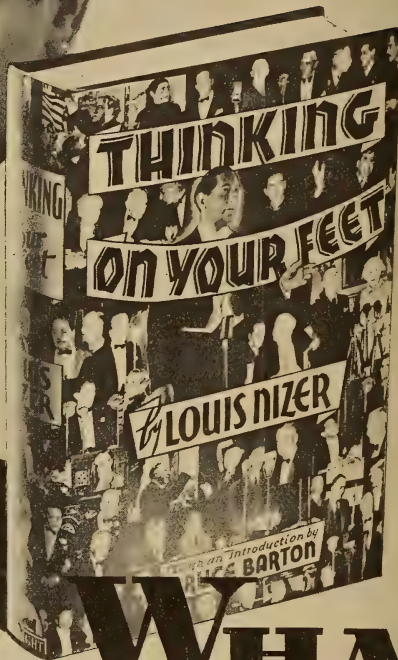
Pierre van Paassen

Would you like to meet some interesting folks? Say Albert Einstein, Walter Winchell, Fiorello LaGuardia, Eddie Cantor, Jim Farley. Then let LOUIS NIZER present them to you. He is one of America's distinguished legal scholars, and also one of America's distinguished toastmasters. His is a good book. Almost every one will like it. . . .

Marquis James

LOUIS NIZER is my candidate for any All-American Team made up of men who know how to think standing up or sitting down or on a dais, and he can say what he thinks with a brilliance which is breath-taking. I have seen and heard him do it. **THINKING ON YOUR FEET** reflects this quality on the printed page. . . .

Gabriel Heatter



WHAT CONTEMPORARY THINKERS SAY ABOUT "THINKING ON YOUR FEET"

NO BOOK in many years has been greeted with such enthusiastic applause — by two Nobel Prize winners (Thomas Mann and Maurice Maeterlinck), by a double winner of the Pulitzer Prize (Marquis James), by the author of a best seller for two years (Pierre Van Paassen), by one of the world's greatest publicists (Bruce Barton), by one of the world's most widely-read writers (Fannie Hurst), by a leading exponent of the art of speaking (Gabriel Heatter), and by the Book of the Month Club, which has recommended it. As publishers, we could not fashion higher praise.

Note: An autographed copy of **THINKING ON YOUR FEET** will be mailed postpaid upon receipt of your check for \$2.50. Address: Dept. F, Liveright Publishing Corp., 386 4th Av., N. Y. C.



THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 97

NEW YORK, FRIDAY, NOVEMBER 15, 1940

TEN CENTS

DECREE DECISION IS RESERVED

Decree Holds Financial Peril, Columbia Charges

**Court's Right and Power
To Sign Challenged; "U,"
UA Take Same Position**

Columbia lodged its objections to the proposed consent decree in the New York equity suit yesterday on the grounds that the company was financially unable to cope with the requirements of the decree and at the same time questioned the right and power of the court to sign the decree.

The protest was made by Louis D. Frohlich, of counsel for Columbia defendants, who told Federal Judge Henry W. Goddard that insofar as

(Continued on Page 6)

Urges Films Use Own Radio Commentators

Suggestion that film companies engage their own radio commentators rather than relying on commentators who pick up their own bits of information, good or bad, was made by Edgar Kobak, NBC vice-president, addressing Ampa's luncheon meeting yesterday on the theme, "Selling Motion Picture Stars by Means of Radio."

Kobak urged the systematic use of radio in advertising films in the

(Continued on Page 6)

Para. Execs., Partners Discuss Decree's Effects

West Coast Bureau of THE FILM DAILY

Hollywood—Problems arising from the consent decree constituted a leading topic in the round table discussions which gave Paramount Theater, production and distribution represent-

(Continued on Page 6)

Says Decree Means More Trade Critics

Edward Raftery, attorney representing United Artists and Universal, told the Court at yesterday's hearings on the consent decree that one effect of the document would be more critics on the trade papers and fewer on the daily newspapers.

LOCAL 802 IN DECREE ATTACK

*Claims A F of M Suffers at
Distrib. Hands*

A surprise twist to the hearing before Federal Judge Henry W. Goddard yesterday on the proposed New York equity suit consent decree was provided by Joseph R. Brodsky who arose to speak in opposition to the decree as representative of Local 802 of the American Federation of Musicians.

Brodsky declared that his union consisting of 21,000 members had been one of the chief sufferers of the "monopolistic practices" of the film companies. He asserted that the distributors had so loaded the theaters with shorts, newsreels and

(Continued on Page 7)

Federal Gov't Will Extend Use of Films

"Use of the motion picture as an important part of the Federal Government's informational activities is not only here to stay, but during the forthcoming year, it is due for considerable expansion," according to Oliver T. Griswold of the Rural Electrification Administration, here to

(Continued on Page 4)

Myers Calls Decree "Unjust" Legalizes and Protects Monopoly, He Claims

Score Slightly Hurt as Pitts. Alvin Roof Falls

Pittsburgh — A score of persons were injured, none seriously and no one killed, when the entire roof of the Alvin-Harris first-run theater here, caved in early last evening causing great panic throughout the city.

The theater was entirely demolished.

(Continued on Page 7)

**Court Not Expected to Act for Several Days; ITOA
Granted Right to File Answering Brief; Goddard
Thinks Decree Drawn to Aid Small Theater Owners**

Federal Judge Henry W. Goddard reserved decision yesterday on the confirmation of the proposed consent decree after hearing strong arguments both pro and con on its acceptability.

May Up Arbitration Budget by \$50,000

The annual arbitration budget for any year may be tilted a maximum of \$50,000 by the Federal Court should the American Arbitration Ass'n find it necessary for the effective operation of the arbitration system, final draft of the consent decree, released at yesterday's hearing, disclosed.

The final draft, in addition to setting forth the \$490,000 budget for the first year and fixing the maximum for succeeding years at \$465,000, except with the consent of a

(Continued on Page 4)

Col. Takes Over Tucson For "Arizona" Premiere

Tucson, Ariz.—To the accompaniment of rip-roaring Western festivities, Columbia tonight launches Wesley Ruggles' "Arizona" at a quintuple premiere, the picture bowing in simultaneously at the State,

(Continued on Page 5)

The court in an interjected remark towards the close of the all-day hearing stated:

"It seems to me that the decree was drawn for the benefit of the small theater owners."

Decision is not expected for at least several days since the Court granted permission to Milton C. Weisman, attorney for the ITOA, to file an answering brief.

Weisman, in attacking the decree at the afternoon session asked Judge Goddard to direct a reference on the question to allow exhibitors to pre-

(Continued on Page 5)

Hayes Defends Idea Back of Blocks of 5

The idea back of the blocks-of-five provision of the consent decree was to reduce the number of pictures sold in a group to the smaller number, which at the same time would not increase the expense of distribution beyond bonds, James

(Continued on Page 6)

David Rose Awaits Clipper At Lisbon for N. Y. Flight

David Rose, Paramount's British managing director, is coming to New York for home office conferences, it was learned yesterday. It will be

(Continued on Page 6)

No "Union Hours" At Decree Hearing?

When Federal Judge Henry W. Goddard, at yesterday's hearings on the consent decree, was told that there were 14 attorneys who wanted to speak in protest of the decree and that each was likely to talk 30 minutes, the Judge said, "We can't allow that and still keep union hours."

In opening his remarks, Myers

(Continued on Page 7)

THE FILM DAILY

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FINANCIAL

(Thursday, Nov. 14)

NEW YORK STOCK MARKET

Am. Seat.	High	Low	Close	Net Chg.
Col. Pict. vtc. (2 1/2%)	10 1/4	9 7/8	10	- 1/8
Columbia Pict. pfd.	6 1/4	6 1/8	6 1/4	- 1/8
Con. Fm. Ind.	3 1/2	3 1/8	3 1/2	+ 1/8
Con. Fm. Ind. pfd.	9 3/8	9 1/8	9 3/8	+ 1/8
East. Kodak	142	141	142	+ 3/4
do pfd.	11 1/2	11	11	- 1/4
Gen. Tr. Eq.	11 1/2	11	11	- 1/4
Loew's, Inc.	30	29 5/8	29 3/4	- 1/8
do pfd.	9 1/2	9	9 1/2	+ 1/8
Paramount	9 1/2	9	9 1/2	+ 1/8
Para. 1st pfd.	94 1/4	94	94	- 1/4
Para. 2nd pfd.	10 1/8	10	10	- 1/8
Pathé Film	10 7/8	10 1/8	10 7/8	- 1/8
20th Century-Fox	6 1/2	6 1/8	6 1/2	- 1/8
20th Century-Fox pfd.	16 1/2	16 1/4	16 1/4	- 1/2
Univ. Pict. pfd.	100	100	100	+ 1/2
Warner Bros.	3 1/2	3	3 1/2	+ 1/8
do pfd.	10 1/2	10	10 1/2	+ 1/8

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4%	.....
Loew's deb. 3 1/2%	.....
Para. B way 3 1/2%	.....
Para. Pict. 6 1/2%	.....
Para. Pict. cv. 3 1/4% 93 1/2	93 93 1/2 + 1/2
Warner Bros.' db. 6 1/4% 88	88 88 + 1/2

NEW YORK CURB MARKET

Monogram Pict.	.....
Sonstone Corp.	.....
Technicolor	9 1/2 9 1/2 9 1/2
Trans-Lux	1 1/4 1 1/4 1 1/4
Universal Corp. vtc.	4 4 4 + 1/8
Universal Pict.	.....

Charles J. Welsman Dead

Toronto—Charles J. Welsman, 75, pioneer Toronto exhib., is dead. He owned and operated the Brighton and Le Plaza. Prominent in musical circles, he was organizer and first leader of the Governor General's Bodyguard Band.

Regal's Ben Kaufman Dead

Montreal—Ben Kaufman, for 22 years representative of Regal Films, distributors of Metro Pictures, died in Royal Victoria Hospital.

170 Picture Pioneers In Canadian Affiliate

Toronto—Imposing total membership of 170 was reported at first annual meeting of the Canadian Picture Pioneers held at the Royal York Hotel. This total comprises 123 life, 42 regular and five honorary memberships.

From New York City there came as guests Hal Hode, secretary of Picture Pioneers of the U. S. A.; A. Schlesinger, Arthur Lee and Gene Autry, the latter accompanied by his wife. A special gold membership plate was presented to Autry.

At the business session it was stressed that CPP, although less than a year old, had sponsored the recent successful war stamp theater night in Canada and had made the arrangements for Autry to come to Toronto for the three-day rodeo, a benefit for the London Lord Mayor's fund for air raid victims.

Directors were elected as follows: Ben Cronk, Leo M. Devaney, Claire Hague, Archie Laurie, Haskell Masters, N. L. Nathanson, James P. O'Laughlin, Tom Daley, Harry Alexander and Ernest Moule. Five district supervisors, also automatically board members, are: Archie Mason, for maritime provinces of Nova Scotia, New Brunswick and Prince Edward Island; Sim Rost, Winnipeg center; Walter Wilson, Calgary Center; William S. Jones of Vancouver, British Columbia Center and Edward English, Montreal, of Quebec Center.

The directors were empowered to elect CPP officers for the coming year.

IATSE Executive Board To Meet in New Orleans

IATSE Executive Board will convene Monday in New Orleans for a week of conferences. Meeting is concurrent with the AF of L meeting there. Louis Krouse, Richard Walsh and James Brennan, IA execs, will attend from here.

Gene Tierney for 'Tobacco Road'

Hollywood—Twentieth Century-Fox has assigned Gene Tierney, New York stage actress, to the role of Ellie May in "Tobacco Road," in which Marjorie Rameau, Ward Bond and William Tracey will appear.

Quins Aid Navy League

Callender, Ont.—The Dionne Quintuplets were filmed here yesterday for a newsreel in aid of the Navy League of Canada. They were photographed packing "ditty bags" for five seamen a Canadian destroyers and five on ships of the Royal Navy.

20th-Fox Pacts Cobina Wright, Jr.

Hollywood—After seeing Cobina Wright, Jr., New York socialite and singer, in rushes of "Murder Among Friends," Twentieth Century-Fox signed her to a term contract.

Tells Chaplin "Dictator" Terms Restrict Audience

New Haven—Dr. J. B. Fishman, general manager of Fishman Theaters, Inc., operating here and in Fairfield, and a director of Connecticut Allied, has addressed an open letter to Charles Chaplin protesting against the distribution policy of "The Great Dictator."

Fishman writes: "In your latest picture, 'The Great Dictator,' you tackle the most vital problem in the world today courageously and fearlessly. By making the dictators appear ridiculous, you perform the greatest service to the people of America. If you are sincere in your beliefs, as I feel you are, you should want every man, woman and child in this country to see your picture."

"All this, however, is very difficult to reconcile with the distribution policy announced in the press. A 70-30 split will keep the picture out of the smaller theaters of America for a long time to come. The great majority of the moviegoers, unable to see the picture in the small neighborhood theaters at regular admission prices, will go without seeing it."

Yates, Grainger Attend Rep. Toronto Sales Meet

Toronto—James R. Grainger, Republic's prexy, arrives here this morning to join Herbert J. Yates, president of CFI, for a two-day sales meeting at the Royal York Hotel.

A. W. Perry, general manager of Empire Films, Ltd., distributors of Republic pictures in Canada, together with the following branch managers, will attend:

H. O. Painter, Toronto; I. W. Blankstein, Calgary; M. J. Isman, Montreal; B. Plottel, Vancouver; Frank L. Vaughan, Winnipeg, and Gerald M. Hoyt, St. John.

Warner Circuit Employs Aiding British War Relief

Warner Bros. theater employees are closing a drive for \$5,000, to be expended for British war relief today. Drive results from a movement launched at the home office to raise funds for the purchase of an ambulance, with extension following the collection of more than \$1,800.

Larger fund will permit the purchase additionally of a motor kitchen unit, a mobile feeding unit and 21 hospital bed equipments.

Joseph Bernhard In Albany

Albany—General Manager Joseph Bernhard, of Warner Brothers theaters yesterday was in Albany for all-day conferences with Zone Manager N. A. Silver and staff. Bernhard inspected Strand, Ritz, Madison and Albany theaters here and Troy, Lincoln and American theaters, Troy.

COMING and GOING

WILL H. HAYS left for the Coast last night for a stay of two to three weeks.

DAVID ROSE, Paramount's U.K. managing director, is awaiting the clipper at Lisbon.

JAMES R. GRAINGER left for Toronto last night.

HERBERT J. YATES is in Toronto.

LOUIS KROUSE, RICHARD WALSH and JAMES BRENNAN, IATSE executives, leave this weekend for New Orleans to attend the executive board meeting there next week.

RITA JOHNSON arrives here from the Coast in the near future.

MARY PICKFORD and BUDDY ROGERS were scheduled to leave last night for the Coast.

WILLIAM GERMAN, vice-president of J. E. Brulatter, Inc., leaves tomorrow for the Coast by train. He returns here about the middle of December.

B. G. KRANZ, branch manager of RKO Radio's Albany exchange is in New York conferring with home office and circuit executives.

Lavine Joins R. E. Snider As General Manager

Philip H. Lavine, formerly with the Phil Smith Circuit in New England as general manager, is now with the Ralph E. Snider Theaters in the same capacity.

Circuit has "A" houses and de luxe naves in Maine, Massachusetts and Rhode Island. In addition to the picture houses, the Metropolitan in Providence presents operas and concerts, while at the Playhouse, same city, legitimate attractions are offered.

"Lady, Be Good" to Metro

Metro has acquired the 1925 Broadway musical, "Lady, Be Good" as a tri-starring vehicle for Ann Sothern, Eleanor Powell and Tony Martin. Picture will be produced by Arthur Freed and directed by Busby Berkeley.

Lon Fidler Hospitalized

Denver—Lon T. Fidler, owner of the Monogram franchise here and Salt Lake City, is recuperating from an illness in St. Luke's hospital here.



From THE FILM DAILY to NOVEMBER 15

Lewis Stone
Herbert Rawlinson
Samuel Ornitz
Hal Hansen
Joseph P. Reddy

NOVEMBER 15

Lawrence Tibbett
Corinne Griffith

NOVEMBER 17

John R. Freuler
Frank Fay
Eddie Baker
Sara Haden

Crane Wilbur
Milton H. Field
Leon Rosenberg
Edna Murphy

Samuel Goldstein



The story of the founding of
The Red Cross is told by **Warner Bros.** in the
Special 2-reel Technicolor Film

"THE **Flag** OF **H**umanity"

**WIDELY APPLAUDED AS ONE OF THE FOREMOST
PATRIOTIC OFFERINGS OF THE SCREEN**

with
NANA BRYANT
FAY HELM
JOHN HAMILTON
TED OSBORNE
JOHN ARLEDGE
Directed by
JEAN NEGULESCO
Story by Charles L. Tedford

Now Booking
AS THE RED CROSS ROLL CALL BEGINS

Federal Gov't Will Extend Use of Films

(Continued from Page 1)

speak at the National Board of Review conference today at Hotel Pennsylvania.

Judge Stephen S. Jackson, recently appointed director of the Bureau for the Prevention of Juvenile Delinquency, will be another featured speaker at this morning's session. Judge Jackson's subject will be "Movies and Juvenile Delinquency."

Others scheduled to address the Conference today include Vyvyan Donner of Fox Movietone, Ilka Chase, Margaret Farrand Thorp, author of "America at the Movies," and Virgil Thomson, music critic of the N. Y. Herald Tribune and composer of the scores for "The Plow That Broke the Plains" and "The River."

Drive-In Theater Biz In Mid-West Shows Gain

Boston—Phil Smith said yesterday that his Mid-West Drive-In theaters had closed for the season and that the reports from every theater disclosed a decided increase in business this season over any previous one. Smith said that plans for further expansion are being discussed.

E. M. Loew's open air theaters, including the Merrimack Park Theater and the Lynn Open Air Drive-In have closed after the most successful season they have enjoyed. The Providence Drive-In Theater remains open for another fortnight.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY

Hollywood—Marriage of Jacquelyn May Metzger, daughter of Mr. and Mrs. Lou B. Metzger, of Bel Air, to Burton Lloyd Kramer, film editor at Columbia, and son of Dr. and Mrs. Jacob Kramer, will take place Dec. 17 at the Hillcrest Country Club. Rabbi Edgar Mangin will perform the ceremony.

Denver—Miriam Briggs of Denver and William Ostenberg, Jr., of Scottsbluff, Neb., were married at St. Thomas Episcopal Church here and left on a honeymoon to California. Groom is manager of the Bluffs Theater, Scottsbluff, one of several owned by his father. The bride is the daughter of E. P. (Buzz) Briggs, manager of the local State.

West Coast Bureau of THE FILM DAILY

Hollywood—Regina Lille, secretary in Warners' publicity department, has announced her engagement to Arthur Meyers, of Louisville, Ky. Wedding will be performed by Rabbi Maxwell Dubin at the Wilshire Temple on New Year's Eve. Sylvia Lille, a sister, secretary to Harry Warner, recently announced her engagement.



● ● ● THAT was a deservedly swell set of reviews.....which Walt Disney's "Fantasia" grabbed from cinema appraisers in yesterday's morning and evening sheets..... This corner likewise read with interest what the music critics had to say..... We sat in awed respect at the two-column feet (or should we say "feet") of Mister Olin Downes..... of the New York Times..... as he outpoured his pedantic and professorial opinion..... At an early stage of his critical exposition..... we began to suspect that maybe the fragile University of Filmland shouldn't be playing the colossal College of Classic Compositions..... 'cause the latter is too heavy..... Well, Sir, just when we thought our little cinema squad was up against an adversary incapable of becoming careless or reckless..... we perceived a weakness in the Downes' "system" (there are only four allowed in regulation football) when he got half way to the last, tough gag line..... There he threw the ball away as far as we were concerned..... and here's how:.....

● ● ● HE said that what he saw was a conglomeration reminding of Mark Twain's Colonel Sellers at the breakfast table..... planning a railroad which should run through Slouchburg and Doodleville, Belshazzar, Catfish, Babylon, Bloody Run, Hail Columbia and Hark From the Tomb..... Now when we found him hooking Babylon up with such outlandish places.....—Babylon, the Long Island home town of Herbert J. Yates, a Prudential Playhouses' cinema, and Phil M. Daly..... we got fightin' mad..... and Mister Downes couldn't gain an inch with us in the "second half"..... (Are the Warners interested in the movie rights?).....

● ● ● FILM folks and fans generally..... turn eyes-right tonight to Tucson..... where Columbia's Wesley Ruggles production, "Arizona" will premiere..... as the golden climax of a two-day civic celebration..... Nationally spotlighting this powerful feature..... has already been a remarkable promotional campaign..... which has seen a landslide of newspaper stories and an avalanche of standout radio programs..... The pay-off currency which Tucson receives from this event..... will be in the form of community prominence, pride, and prestige..... But the circuits and exhibs. of the nation will get the real gain..... for they will cash-in via actual hard cash..... expended at their box offices by the tremendous public interest springing from the entire Columbia campaign.....

● ● ● THAT array of stars being banded together..... for participation in the Seventh Annual "Night of Stars" in Madison Sq. Garden on Nov. 27..... is attaining such proportions (quality and quantity)..... that this great charity show is certain to set a new mark in pageantry..... Dorothy Thompson, Johannes, Steel, Raymond Gram Swing, Elmer Davis, George Hamilton Coombs and Andre Baruch..... are but a few of the news commentators..... who'll be on stage..... among the regiment of noted entertainers.

● ● ● AN industry as far-flung and alert as ours..... should be able to supply a clue to Robert L. Wheeler, Rural Route 2 Box 5, Murphysboro, Illinois..... as to where he can get in touch with his brother, Leonard Wheeler..... who at one time worked in filmland and more recently at the Johns Manville exhibit at the World's Fair..... The urgency is the settling of the estate of their father.....

« « « » » »

May Up Arbitration Budget by \$50,000

(Continued from Page 1)

majority of the distributor defendants, revealed three new paragraphs, as compared with the text published in THE FILM DAILY on Oct. 30.

Article I, which concerns the court's jurisdiction, has this added paragraph:

"The Petitioner not having offered any proof of its allegations that defendants have violated the Anti-trust Laws, and defendants having denied each and every allegation, this Court has not determined or adjudicated, and by this decree does not determine or adjudicate, and this is not a decree to the effect that any of said defendants has violated or is now violating any of said laws, or any other statute, and this decree relates solely to future conduct herein below specified and is not based upon a finding, determination, or adjudication that any right or statute has yet been or is now being violated."

Article XXII has this substitute Section 1:

"The method and conditions of and the procedure for the arbitration of claims and controversies hereinbefore provided for in this decree, as well as the arbitration of claims and controversies provided for in any decree referring to this decree which may be entered by the District Court of the United States for the Northern District of Illinois, Eastern District of Illinois, or United States District of America, Petitioner, Against Balaban & Katz Corporation, Et Al., Defendants," Modifying a Consent Decree entered in said action on April 6, 1932, and the arbitration of claims and controversies provided for in any decree referring to this decree which may be entered by the District Court of the United States for the Southern District of California, Central Division, in an action entitled "United States of America, Plaintiff, vs. West Coast Theaters, Incorporated, Et Al., Defendants," modifying a Consent Decree entered in said action on August 21, 1930, shall be as specified in this Section and in the Rules of Arbitration and Appeal which are provided for hereinafter."

Finally, to Section 7 of Article XXII this paragraph is inserted after the first paragraph:

"If any member of the Appeal Board is disqualified from passing upon any appeal, or is temporarily unable because of illness, absence or any other cause to act as a member of the Appeal Board, the Court may on application of one or more members of the Appeal Board appoint another person entitled to impartiality and distinction to act as a temporary member of the Appeal Board in place of the member so disqualified or unable to act. The compensation of such temporary member shall be fixed by the Court."

Acquires Italian Features

Acquisition of four new Italian films for distribution in this country is announced by Dr. Francesco Malacuso, president of Esperia Film Distributing Co., Inc. "Manon Lescaut," "Dream Of Buttery," "Beyond Love," and "Love Me, Alfredo" are the titles.

Powell to Rebuild Mataoka

Cincinnati—Fire destroyed John Powell's Mataoka Theater, Mataoka, W. Va. Powell will resume operations after rebuilding.

TO THE COLORS!

Buffalo—Don Harpole, manager of the Bailey, has enlisted in the U. S. Air Service. His successor at the Bailey is Marcus A. Myers, formerly at the Star, Tonawanda.

Decree Result of D of J-Majors Deal, Says ITOA

MPTOA Raps Arbitration Setup; Texas Group Sees Cost of Films as Doubled

(Continued from Page 1)

sent evidence in support of their contention that the decree's provisions were inimical to their interests. The ITOA is willing to stand the expenses of a reference to the extent of \$15,000, with other exhibitor organizations ready to post the balance, Weisman declared. If the Government was fearful that it could not win a trial of the suit, he continued, there were others who felt differently.

The ITOA has received hundreds of letters from exhibitors who fear they cannot continue in business if the decree is approved, Weisman asserted. The attorney asked the court to note the significance of the almost unanimous opposition of exhibitors and dramatically repeated several times that the decree could not possibly work. The settlement is the result of a "deal" between the Government and the five companies under which the latter can retain their theaters, he charged.

Would Raise Selling Costs

Effect of the decree would be to enormously raise the cost of selling pictures, with the prospect of the exhibitor standing the expense, Weisman maintained. Moreover, he said, the limited right of cancellation which an exhibitor now has will be lost. He also attacked the limitation on the right to arbitrate runs, claiming that many exhibitors had not written to distributors because "they were afraid to stick out their necks."

William P. Sims, attorney for the MPTOA, announced that the 7,700 operators who were members of his organization unanimously opposed the decree. The right to have trade showings and blocks of five were of absolutely no value to the exhibitor, he continued. The only valuable right would be the extension of absolute privilege to operators to cancel a percentage of films, he said. Sims charged that arbitration as proposed in the decree would be "cumbersome and highly expensive."

CCC of ITO Asks Deferment

Deferment of any decision until his organization had an opportunity to formally apply for the right to intervene in the suit was asked for by Paul J. Ziegler, attorney for the Pacific Coast Conference of Independent Theater Owners. Ziegler stated that he was not given sufficient time to study the decree and that he wanted to prepare motion papers to apply for an intervention.

Judge Goddard declared that he would not permit the organization to intervene in the suit and also indicated that he would not permit any deferment on his decision.

Jacob Schechter, attorney for Allied Theaters of New York, declared

Motion for Filing of Amended Complaint In Equity Suit Will Be Heard on Dec. 5

Federal Judge Henry W. Goddard yesterday set Dec. 5 as the date to hear a motion for the filing of the amended complaint to the New York equity suit. Louis Frohlich, Columbia counsel, said he would oppose this application. All companies except M-G-M filed answers to the amended complaint. M-G-M indicated it would file its answers later. Judge Goddard also signed an order dismissing individuals and subsidiaries from the original suit.

Miami Premiere Planned For Benny and Allen Pix

Miami — Paramount's "Love Thy Neighbor," with Jack Benny and Fred Allen, will have its world premiere simultaneously in three local houses around Christmas, it is understood. Two more theaters may be added in Miami Beach.

that he was at a loss to understand why the Attorney General was so insistent upon approval of the present decree in the face of united opposition from all exhibitor organizations. He also demanded a hearing so that exhibitors could testify and present their views.

Sees End for Indie Exhibs.

Elimination of all independent exhibitors in the country within two selling seasons was the dire prediction of Sidney B. Feifer, attorney for the MPTOA of New York State, when he rose to speak. Feifer called the decree "almost vicious" and asserted that it made permanent and legal abuses in the industry which had been previously called monopolistic. The decree, he stated, would accentuate these evils and place an unbearable burden on the shoulders of the exhibitors.

"The Government has not acted in our interests," Feifer declared.

Roy L. Walker, representing the Theater Owners Protective Association of Texas, spoke for the owners of single theaters and maintained that the decree would double the prices of films for the small town theater owner. In addition, he said, houses in small towns would have the period of availability of films extended from the present situation of three to eight weeks to three to fifteen months.

As each attorney spoke against the decree and stated that conditions would be unbearably worse, almost each one had a good word to say for the present conditions. Judge Goddard appeared considerably surprised at the good things said about current practices and at one point interjected the remark: "You get me to wonder why you complained at all." Judge Joseph M. Proskauer added in a voice audible to the entire courtroom, "We've been wondering why also."

Charges Power Usurpation

Fred Kent, attorney for the Southeast Theaters and the Paramount partners who opposed the decree, ar-

350 Turkey Giveaways In RKO Met. Theaters

RKO nabe theaters throughout Greater New York will award more than 350 turkeys to patrons at Thanksgiving Parties to be staged next Monday, Tuesday and Wednesday nights.

gued that the Attorney General was usurping the power of Congress in seeking to establish regulatory supervision of the industry. Congress had not delegated these powers, he said, and the Attorney General had no right to establish a permanent arbitration system.

John R. Moroney, attorney for the Interstate Circuit, L. M. Rice, representing the Robb & Rowley Theater Circuit, Robert Barton, attorney for the Theater Owners of Virginia, and L. B. Schwartz of the Allied Theaters of the Northwest also spoke briefly against the decree.

In rebuttal, Assistant Attorney General Robert Sher took up, point by point, the contentions of the decree's foes. Sher said that he could see no reason for Columbia, United Artists and Universal opposing the decree since they were not bound by it. These three companies, early in the negotiations told him, he continued, that they would not accept a decree even if the provisions on blind-selling and blocks of five were dropped.

Sher admitted, in answer to a question by Judge Goddard, that he knew of no organization of theater owners that favored the decree but declared that he had received many letters from individuals supporting it.

Sher Attacks Objections

Nothing in the decree prevented an exhibitor from still obtaining cancellation privileges, Sher said. He charged the exhibitors with opposing the decree because they objected to competition in the purchase of films and asserted that the Government was equally concerned with maintaining competition in purchasing as in distribution.

Sher said that Abram F. Myers, Allied general counsel, in a letter written to the Government early in the negotiations had supported trade showings and blocks of five. Myers later told the Court that the latter had presupposed certain safeguards in reference to trade showings and blocks of five that were later omitted.

Col. "Takes" Tucson For "Arizona" Debut

(Continued from Page 1)

Rialto, Lyric and Fox theaters and the Temple of Music and Art.

With Charlie Ruggles, the producer-director's brother as emcee, Jean Arthur, starred, will make p.a.'s at all five houses. Miss Arthur, who was guest at a public reception yesterday following her arrival, will do a special radio treatment of "Arizona" on the Kate Smith Hour air show preceding the opening.

Columbia officials who are present include Prexy Harry Cohn, who arrived by plane from New York; Home Office executives Jack Cohn, A. Montague, Rube Jacter, N. B. Spingold, Louis Weinberg, Louis Astor and Max Weisfeldt; Division Managers Phil Dunas, Carl Shalit, Sam Galanty, Jerome Saffron and Los Angeles Branch Manager Wayne Ball.

Members of the cast and other players present include: Porter Hall, Warren William, Regis Toomey, Paul Harvey, Rita Hayworth, Glenn Ford, Paul Lukas, Jack Holt, John Mack Brown, Fay Wray, Guy Kibbee, Florence Rice and Charles Ruggles.

Vanguard of a group of 250 correspondents of newspapers and magazines dropped out of the skies yesterday in three huge American liners, followed by special trains bearing other correspondents. Delegations from 250 to 1,000 strong have come from over a score of cities. Several Governors and a dozen mayors are in town.

Official reception and ball will follow the premiere tonight at the Santa Rita Hotel. Fete continues tomorrow.

Film Regulation Board Hearing Set for Nov. 20

Pittsburgh—Councilmanic hearing on the proposed Film Regulation Board ordinance, which would prevent amateur moving picture fans from showing their films outside their own homes unless licensed, has been set for Nov. 20, at 2 p.m. At least 10 groups, headed by medical, industrial, educational and civic leaders, representing several thousand persons affected by provisions of the proposed ordinance, have written letters of protest, asking for a hearing. The new ordinance is sought by Lawrence J. Katz, international representative of the IATSE.

New Theater for Sand Gap

Sand Gap, Ky.—New theater is being built by J. F. Carnahan and M. C. Hughes, owners of houses at Beattyville, Manchester and McKee.

Urges Films Use Own Radio Commentators

(Continued from Page 1)

way premieres of motion pictures are put on the air. The advantage in purchasing time, he added, lies in the fact that instead of getting a portion of the broadcasting chain on a sustaining basis, film companies would get all the chain stations for the full time contracted for.

Still another item pointed out by Kobak was that an estimated 15,000,000 seats in movie theaters if all filled, would still leave anywhere from 70,000,000 to 80,000,000 listeners at home to whom the movie man's message could be sent while the audience is relaxed and in a receptive mood. Thus he saw no actual competition. Competition as he saw it in the m.p. field was between the various companies just as radio competition was between different stations and networks.

"Radio uses motion picture talent to sell package goods," Kobak stated, "why shouldn't motion pictures use this talent to sell themselves?" A movie he considered, was just as much a package sale as any other commodity, or for that matter, an effort to fill certain theaters.

Para. Execs., Partners Discuss Decree's Effects

(Continued from Page 1)

tatives a clear understanding of the situation according to, a statement made by John Balaban, chairman of theater group.

Balaban said he was sure that effective co-operation towards a solution of the problems will result from these discussions. He said the Para. theater partners brought along ideas which were closely studied at the meeting and all angles of the theater business were considered. He pointed out that this is the first time that such a group of exhibitors have had a voice in actual production plans.

Balaban did not go into detail regarding the suggestions made by the theater operators.

David Rose Awaits Clipper At Lisbon For N. Y. Flight

(Continued from Page 1)

his first trip over since the outbreak of the war.

Already arrived in Lisbon, Rose is awaiting Clipper passage facilities, expected to be available within the next week or so.

Johnson Opening New Vogue

Friend, Neb. — Wally Johnson's new Vogue, 260-seat house built on the site of the Plaza which burned in May, opened yesterday. House cost around \$20,000 and was equipped for the most part by F. A. Van Husan's Western Theater Supply Co. of Omaha.

Consent Decree "Escape" Clause Assailed By Columbia as Paving Way for Pressure

Attacking the "escape" clause in the pending consent decree in the New York equity suit at yesterday's hearing before Federal Judge Henry W. Goddard, Louis D. Frohlich, for Columbia, contended that under its terms pressure would be brought to make the company join with the five consenting companies or suffer the consequences.

See Financial Peril in Decree Power of Court Questioned by "Little 3"

(Continued from Page 1)

the company was concerned there was no merit to the Government's case and that Columbia could successfully oppose the claim of violation of the Sherman anti-trust act upon the trial of the issues.

Upon the completion of Frohlich's remarks, Edward Raftery, attorney, speaking for both Universal and United Artists, told the court that his position coincided with that of Frohlich's and that there was no need for repeating the issues. He added, however, that both Universal and United Artists would not consent to the decree and reserved the right to object and appeal if it were approved and signed by the court.

Foresees Releasing Delayed

If Columbia became subject to the terms of the decree, Frohlich said, the company would be affected in several important respects. Columbia estimates, he stated, that the requirements for trade showing before rental will result in delaying the release of a picture for exhibition on an average of about four months.

"This means," he said, "that the capital necessary for the production of each picture will remain tied up for that additional period."

Frohlich added that if it were necessary to accumulate the maximum of five pictures for each block, completed pictures within such blocks would have to be held until the entire group had been produced. This tying up of the investment made in each picture for a further period of four months will require additional capital, Frohlich said, adding that this will necessarily result from the slowing up of turnover.

In order to maintain the current volume of business in the U. S., additional capital of between \$4,000,000 and \$5,000,000 will be required, he asserted, declaring that "since its present net working capital is approximately \$11,000,000, it will require an increase to \$15,000,000 or \$16,000,000 to maintain such domestic gross."

This additional money would be required as permanent working capital and, Frohlich said, banks will not lend money to be permanently retained as capital by its borrowers. Sale of securities to the public would be out of the question, he contended, because no reputable financial institution would promote or underwrite the issuance as there is no reason-

able expectancy that the additional capital will increase income.

10 Sales Campaigns Annually?

Frohlich also attacked the blocks-of-five provision from the stand that it would increase selling costs, inasmuch as sales campaigns would have to be launched at least 10 times a year, whereas only one selling season is the practice now. Columbia also has not the resources to accumulate a large number of completed pictures, even though the five consenting companies may be in such a position.

Columbia would be required to venture its entire capital before it could be assured of any market for its product, Frohlich said, explaining that it means the assumption of speculation, risk and hazard which does not exist in any other large industry, reducing production and distribution to speculative enterprises.

Frohlich charged that the allegations of the amended complaint and the provisions of the decree "actually aim to set up a kind of N.R.A. over this industry." They purport, he continued, to enlarge the powers of the court from judicial functions to legislative functions and assert the right to do so.

"In that respect," he declared, "we believe that the court is without power to sign the decree and that consent of the parties is not sufficient to enlarge the jurisdiction of the court, this jurisdiction being limited by the Constitution and statutes of the United States."

Court's Jurisdiction Challenged

Frohlich said that he did not believe the court could sign the consent decree because the defendants not consenting to it were prejudiced by the entry of a decree which is at complete variance with the original pleadings. He also said that the proposed amended and supplemental complaint failed to state facts sufficient to constitute a cause of action under the anti-trust laws. He declared that the court had no jurisdiction to permit the subject matter of the suit to be entirely changed upon the consent of the Government and five groups of defendants and without the consent of three defendants against whom the Government proposes to continue the suit.

The nature of the decree, the attorney said, requires constant supervision of the new methods of selling, but, he continued, "there is no provision in the Sherman anti-trust law which vests this court with su-

Hayes Defends Idea Back of Blocks of 5

(Continued from Page 1)

Hayes, special assistant attorney general, stated before the court yesterday at the open hearings on the consent decree.

Hayes said that the selling of one picture at a time would increase expenses beyond all bounds and would throw the burden on the public which would have to pay increased admission prices.

In admitting that the film industry's problems were different from those of other businesses, Hayes said that complete divorcement, as specified in the original complaint, would have meant that 2,400 theaters would have had to go on the auction block.

Effect of the blocks-of-five provisions, Hayes told the court, will be that the exhibitors' screen time will not be closed, thereby stimulating competition and opening the market for independent producers.

In revealing that the cost of arbitration for each year after the first year of operation would be \$465,000, Hayes said that the court may increase the budget by \$50,000 in any one year. The right to arbitrate is optional with the exhibitor but mandatory with the distributors, he added.

In summarizing the work on the decree, Hayes said that he believed it was a better move than litigation, at least for a year, and that he hoped for peace and good will for the industry. He said the negotiators made every effort to make the arbitration provisions efficient, impartial and free of influence.

Ayers Buys Keystone's Ace

Keystone, Ia.—Dwight Ayers has purchased the Ace Theater here from J. H. Skeel of New Hartford and L. A. Hansen of Waterloo.

pervisory powers over the continued functioning of the business of defendants."

The arbitration provisions of the decree, Frohlich contended, are outside the power granted to this court by Congress, inasmuch as the arbitration contemplates that an arm of the Federal Court shall pass on disputes involving less than \$3,000. Columbia feels, he said, that arbitration should be accomplished by voluntary agreement as proposed under the default code. In effect, Frohlich said, the decree amends the Sherman act by giving a new remedy; to wit, arbitration, and depriving all persons who take advantage of arbitration, of the statutory right to an injunction and treble damages. This, he said, is something obviously not within the power of this court to do.

Frohlich said Columbia reserved the right to protest and object to the entry of the decree and to move to vacate it or modify it as "may seem necessary or proper."

"Decree Inherently Unjust", Myers Tells Court

**Allied General Counsel
Argues It is Beyond the
Power of Court to Enter**

(Continued from Page 1)

contended that the court would not sign a decree that was beyond its power "because it is not in conformity with, or is contrary to, the statute upon which it purports to be based."

Does Not Prevent Violations

Declaring that any decree to come within the jurisdiction specially conferred must have for its purpose and effect the prevention and restraint of violations of the Sherman anti-trust act, Myers asserted that the decree does not prevent and restrain violations; it merely modifies certain practices and casts upon the independent exhibitors the burden of enforcing its provisions.

In flat accusation, Myers insisted that the decree "does not put an end to the monopoly and monopolistic practices of the defendants; it legalizes, protects and perpetuates them."

The decree does not abolish block-booking, the Allied counsel told the court. Section 3 (a) merely provides that beginning next year the five consenting defendants shall not license more than five pictures in a single group, he explained, adding that this provision in effect "legalizes the power of a distributor to force upon an exhibitor four poor pictures as a condition of the right to lease one good one."

"Assuming," Myers continued, "that a particular distributor will have 10 outstanding pictures in the course of a year which an exhibitor's patrons will demand and which he must exhibit, the distributor by placing one such outstanding picture in each group of five can force upon the exhibitor its entire output of 50 pictures."

Calls Franchises "Monopolies"

Long-term franchises whereby defendant distributors license their pictures to their own and each other's theaters are in themselves instruments of monopoly, Myers said, and yet the decree exempts such contracts if made before June 6, 1940. The burdens of the proposed five-block plan are cast only on the independents, he said, as the affiliated theaters are protected in the enjoyment of their special privileges.

Myers contended that the escape clause runs counter to the fundamental policy of the Sherman act in that it would permit the consenting defendants to vacate important provisions of the decree if such provisions "are successful in accomplishing their desired purpose; namely, the restoration of competition."

This, the counsel declared, would seem to be a sufficient reason for rejecting the decree as a proper entry in the Sherman act case. According to him, the escape clause

LOCAL 802 JOINS IN DECREE FIGHT

Musicians Suffer from "Monopolistic Practices" of Film Companies, Spokesman Tells Court

(Continued from Page 1)

westerns that the theater owners had no time or money for live entertainment and that the result had been that "the pit of almost every theater in the country was darkened."

The union is presently paying \$600,000 yearly to aid in supporting unemployed musicians who formerly worked in theaters, Brodsky said.

He demanded that distributors be barred from "forcing films down the throats of theater exhibitors." The decree was not satisfactory, he said, because it did not contain a provision that no exhibitor could be discriminated against if he chose to show live entertainment in place of a double feature or short.

Basil's Interests in Six Theaters Sold to Dipson

Buffalo—Nicholas J. Basil, president of Basil Brothers Theaters, announces the sale to Nikitas D. Dipson of Batavia and Buffalo, of the brothers' interests in Dipson-Basil theaters, including the Buffalo Century and Bailey, the Lackawanna Franklin and Ridge, the Tonawanda Star, now in process of reconstruction, and the North Tonawanda Riviera. Basil said the brothers will devote their efforts to their 12 community houses in Buffalo and Niagara Falls.

N. J. Allied Meets in Camden

Big turnout of Southern New Jersey exhibitors is expected in Camden Monday when the new branch of the New Jersey Allied holds its first meeting at the Walt Whitman Hotel. E. Thornton Kelly, field representative, reports lively interest in the organization.

means that the decree undertakes "to protect the defendants in the full possession of their existing monopoly, and, in effect, to insure them against a decline in business, even though such decline may result from their deliberate action or bad business judgment, by relieving them of the provisions of a Sherman act decree in case their monopoly or present volume of business is threatened."

Myers pointed out that the main object of the suit was to force divorcement of theaters. But, he contended, the decree makes no immediate provision for divestiture, meanwhile allowing the defendants to continue acquiring theaters, provided they report to the Dept. of Justice all "legally binding commitments" for the acquisition of theaters.

"New Record for Futility"

Clauses dealing with discrimination in runs "sets a new record for futility," according to Myers, who claimed that the section does not prevent or restrain monopoly.

In claiming that the decree is "unjust," Myers declared that the independent exhibitors will be the chief sufferers although they have not

New RKO Product Deals Embrace 243 Theaters

RKO announces product deals for the 1940-41 programs have been signed with the Publix-Great States circuit of 63 houses in Indiana and Illinois the Saenger group of theaters in 99 Louisiana, Mississippi, Alabama and Florida situations and the Co-operative Theaters of Michigan involving 81 theaters.

3rd Film for Gloucester

Gloucester, Mass.—For the third time, this town has been made the locale of a feature length film with the completion of "Men of Gloucester," a six-reeler written and directed by Ciro S. Caggiano. First production made here was "Down to the Sea in Ships" and second, "Captain Courageous."

Caggiano has not announced the distributor.

been charged with any wrongdoing.

Myers defended the present system which allows exhibitors to buy pictures in advance, thus being assured of a steady flow of product. This convenience will be wiped out, he said, under the proposed five-picture plan. The Neely bill was designed to correct alleged abuses without destroying the system, Myers asserted, inasmuch as an exhibitor could buy in advance and in such quantities as could be agreed upon, provided they were identified by synopses.

The new plan of selling, Myers said, has no support "outside of counsel who have formulated and submitted the proposed consent decree."

Two MPTOA Units Surrender Speaking Time to Allied

Herman Levy, attorney for the MPTO of Connecticut, and George P. Arons, counsel for UMPTO of Philadelphia, also a MPTOA affiliate at yesterday's consent decree hearing surrendered their speaking time to Abram F. Myers, Allied general counsel, who apparently covered their own thoughts on the effect of the decree.

20 Hurt as Pitts. Alvin Roof Falls

(Continued from Page 1)

ished from the stage to the balcony. It will be necessary completely to rebuild. The damage is approximately \$150,000 to \$200,000. The theater will be closed three or four months at least.

The accident was caused by the water tank on the roof giving way.

William Zeilor, house manager, noticed plaster falling and with great presence of mind got all the people to the back of the theater before the catastrophe occurred. Three hundred students, including football teams and three Pittsburgh college students, guests of the theater, were among the patrons at the time of the collapse.

British Honduras Closed To American Newsreels

Washington Bureau of THE FILM DAILY

Washington—American newsreels have not been admitted into British Honduras since May, the Commerce Department disclosed yesterday. Official British reels have been substituted, the American consul at Belize reported.

It was also asserted that censorship has been tightened in a search for any unfavorable propaganda and other details which might discredit colonial administration. About 150 features are required yearly to supply the British Honduran market, with only five British features shown during 1940, and those secured through American distributors, it was said. Remainder of all product shown came from the U. S.

250 Will Attend Albany Farewell to Fred Duffy

Albany—Film folk will tender a farewell to Fred Duffy, Republic salesman who has retired due to poor health, here in the Hotel DeWitt Clinton Monday. Duffy will move to Texas in an effort to recover his health. In Duffy's stead, Branch Manager Artie Newmann has appointed Gene Lowe, former Republic salesman.

More than 250 reservations have already been made for the Duffy party, including a bloc of 25 from exhibitors in the neighborhood of Utica, where he owned and operated theaters for years.

Soviet Pix Opens Nov. 20

"The Great Beginning," first Soviet picture to be released here since the beginning of the year, opens Nov. 20 at the Miami Playhouse. It was announced yesterday by Artkin Pictures, distributor here for Soviet pictures.



REVIEWS OF THE NEW FILMS



"Little Nellie Kelly"

with Judy Garland, George Murphy, Charles Winninger

Metro 100 Mins.

AUD OFFERING FOR GENERAL AUDIENCE CONSUMPTION WITH ENGAGING CAST AND FIRST-RATE PRODUCTION VALUE TO OFFSET POOR SCRIPT.

The George M. Cohan stage success of two decades ago has been transferred to the screen by Metro with fair results. Picture has a nostalgic appeal to it and there are a number of lines that will get heavy laughs from anybody familiar with the New York of today and the New York of many years ago that serves as the story's setting.

Picture offers numerous avenues of exploitation in addition to having the increasingly popular Miss Garland as its star. George Murphy and Charles Winninger are strong supporting marquee "names." Director Norman Taurog makes the most of his material and keeps his characters believable, with a nice production background provided for the film by producer Arthur Freed. Essential weakness of the film is a poor script.

Miss Garland sings pleasingly, and puts her numbers over with a great deal of charm and appeal in addition to doing a nice bit of acting where it is demanded. It may seem incongruous to some people, however, to see Miss Garland get married, have a baby and die in the early sequences of the picture. George Murphy ably fills the bill as the Irish lover of Nellie Kelly and the Irish police captain father of little Nellie Kelly after they emigrate to New York. A swell performance is contributed by able veteran Charlie Winninger cast as the crochety father who never forgave Murphy for marrying his daughter, but lived with them just the same.

The delightful voice of Douglas McPhail is heard in a couple of numbers and is adequate as the swain of little Nellie. Arthur Shields and James Burke are helpful additions to the cast.

Miss Garland marries Murphy in Ireland against her father's wishes. However, Winninger goes to America with them "to see that his daughter is taken proper care of" despite the fact that he lives with them and won't speak to Murphy. Judy dies giving birth to a daughter, and from there the story moves along to a happy ending with a highly amusing windup sequence.

CAST: Judy Garland, George Murphy, Charles Winninger, Douglas McPhail, Arthur Shields, Rita Page, Forrester Harvey, James Burke, George Watts.

CREDITS: Producer, Arthur Freed; Director, Norman Taurog; Screenplay, Jack McGowan; Based on a stage play by George M. Cohan; Cameraman, Ray June; Editor, Frederick Y. Smith.

DIRECTION, Smooth. **PHOTOGRAPHY,** Fine.

Takes Over the Roselawn

Cincinnati—Louis Wiethe, operator of The Bon, Westwood and Kentucky Theaters, has taken a 20-year lease on the new Roselawn. Maurice Chase was the former operator. Henry Wieman will manage.

"The Devil's Pipeline"

with Richard Arlen, Andy Devine, Jeanne Kelly

Universal 65 Mins.

ACTION STORY WITH TROPICAL BACKGROUND IS MODERATELY ENTERTAINING DRAMA.

Provided with a tropical background, a capable cast, a well-paced story and a sufficiency of action, this Universal release emerges as a moderately entertaining offering. Audiences like adventure, the tropics is an intriguing setting for a story, and in addition, exhibitors have a certain amount of "name" value in Richard Arlen and Andy Devine, who have been starring in this series of Universal action meller's for some time now.

Arlen and Devine capably fill the bill in the lead roles. Arlen as the hard and fast-thinking oil engineer, and Devine as his strong-armed and weak-minded stooge who gets them both into one scrape after another. Jeanne Kelly appears as the female attraction, and James Flavin, Francis McDonald and John Eldredge supply the villainy in the piece. Direction of Christy Cabanne is able.

The Peerless Indies Corp., an oil company, sends Arlen and Devine to its oil field on a south sea island to investigate a number of mysterious happenings. Arlen discovers convict labor is being used and that Flavin and Butler, employees of the oil company, and McDonald, native police chieftain, split the profits and then murder the men when they free them. Finally, Arlen leads a rebellion of the workers that proves the undoing of the criminally-minded triumvirate.

CAST: Richard Arlen, Andy Devine, Jeanne Kelly, Martin Flavin, Francis McDonald, John Eldredge, Mala, Eddy Walter.

CREDITS: Associate producer, Ben Pivar; Director, Christy Cabanne; Screenplay, Paul Huston, C. U. Young, Larry Rhine and Ben Chapman; Original story, Paul Huston; Cameraman, John Boyle.

DIRECTION, Able. **PHOTOGRAPHY,** Good.

More N. Y. Critics Hail "Fantasia"

WORLD TELEGRAM (William Boehnel): A great and absorbing entertainment, an experience which you cannot afford to miss.

DAILY NEWS (Kate Cameron): Left a glittering audience . . . breathless with excitement and wonder. Rating: Four stars.

PM (Ceola Ager): It's exultant adventure. Rating: Double check.

DAILY MIRROR (Lee Mortimer): A symphonic vaudeville show with Deems Taylor as confederator.

POST (Archer Winsten): Must be seen by every one, except the very young who might be frightened. Rating: Excellent.

JOURNAL AMERICAN (Rose Pelwick): It is sheer delight, exciting, superbly imaginative and lusciously beautiful.

SUN (Eileen Creelman): As completely cinematic as a symphony is musical, and as untranslatable into words. It is, in itself, complete and unique.

"Five Little Peppers In Trouble"

with Edith Fellows, Dorothy Ann Seese, Dorothy Peterson

Columbia 65 Mins.

POOR MATERIAL MAKES SERIES PICTURE WEAK OFFERING; LAUGHS ARE MISSING.

Fourth and latest release in the series Columbia is producing based on stories by Margaret Sidney, this one falls below the standard of its predecessors and short of the entertainment mark because of poor material. Essentially a family type picture, release will be of some service to exhibitors catering to family and juve trade, but that is about the limit of its exhibition value.

Picture fails to pack any good laughs, and the antics of cute little Dorothy Ann Seese are overstressed. The customary cast appears in this release, including Edith Fellows, Dorothy Ann Seese, Dorothy Peterson, Charles Peck, Tommy Bond and Bobby Larson, comprising the Pepper family. Pierre Watkins and Ronald Sinclair are helpful additions to the cast. Director Charles Barton made the most of the script's possibilities.

The five young Peppers and Sinclair have returned home from school when an aunt of Sinclair's appears and demands his custody. Watkins, Sinclair's grandfather, sends the Peppers and Sinclair away to a boarding school. The rest of the story is concerned with the children's difficulties in school and the custody battle, with all ending well.

CAST: Edith Fellows, Dorothy Ann Seese, Dorothy Peterson, Ronald Sinclair, Pierre Watkins, Charles Peck, Tommy Bond, Bobby Larson, Rex Evans, Kathleen Howard, Mary Currier, Helen Brown, Barty Jane Graham, Shirley Mills, Shirley Jean Rickert, Antonia Oland, Rita Quigley.

CREDITS: Produced by Columbia; Director, Charles Barton; Screenplay, Harry Rebus; Based on a book by Margaret Sidney; Cameraman, Benjamin Kline; Editor, Robert Famit.

DIRECTION, Adequate. **PHOTOGRAPHY,** O. K.

Educational Film Meet To be Held at Ohio State

Columbus, O.—Planning, photography, editing and distribution of educational motion pictures will be discussed at the second conference on the educational production of motion pictures at Ohio State university next Tuesday and Wednesday.

The national meeting will be sponsored jointly by the National Council of Teachers of English, and the university's photography department and educational research bureau. Dr. Edgar Dale of Ohio State, is chairman.

Benny Goodman in Rochester

Rochester—Benny Goodman and his Swing Trio will appear at the Eastman Theater with the Rochester Civic Orchestra Sunday.

"Girls Under 21"

with Bruce Cabot, Rochelle Hudson, Paul Kelly

Columbia 64 Mins.

MELLER ABOUT JUVENILE DELINQUENCY FAILS TO HOLD MUCH ENTERTAINMENT VALUE.

Regeneration of juvenile delinquents is a noble idea and a great work, but it fails to hold much entertainment value the way it is presented in this new Columbia release. It's a drab picture of slum life, and has definite limitations.

Bruce Cabot, Rochelle Hudson and Paul Kelly offer some marquee value, and their performances are adequate. The supporting cast is fair, and one very good performance is turned in by Tina Thayer, a promising young actress, in a supporting role. Max Nosseck directed.

Miss Hudson, product of the slums, marries gangster Bruce Cabot to set a bad example for her youngster sister, Tina, and other girls in the neighborhood. Cabot goes to jail. Rochelle leaves him and returns to a hostile neighborhood.

Kelly, a school teacher, puts his pupils on the honor system, and after Tina and her friends become involved in a scrape causing the death of one girl, they vindicate Kelly by volunteering their information to the police. Action is provided by Kelly smacking Cabot and his strongarm men around.

CAST: Rochelle Hudson, Paul Kelly, Bruce Cabot, Tina Thayer, Roberta Smith, Lois Verner, Beryl Vaughan, Joanne Tree, Dottie Ellis, William Edmunds, John Dilson, John Tyrell.

CREDITS: Producer, Ralph Cohn; Director, Max Nosseck; Original screenplay, Jay Dratler and Fanya Foss; Cameraman, Barney McGill; Editor, C. Nelson.

DIRECTION, O. K. **PHOTOGRAPHY,** Good.

New Theatrical Union Combines Stage Crafts

Combined Theatrical Amusement Crafts has been formed by the A F of L unions in the amusement field in an effort to eliminate any differences between the unions and to further unionize theatrical workers.

President of the new organization is Vincent Jacobi of Theatrical Protective Union No. 1 (stagehands); Martin Lacey of the Teamsters Union, vice-prexy; Ludwig Elsasser of the Upholsterers Union, secretary, and Louis Hollander of the Theatrical Costume Workers Union, treasurer.

About a score of unions, including musicians and motion picture projector operators, are represented in the new union.

Lloyd Wants Loretta Young

West Coast Bureau of THE FILM DAILY

Hollywood—Frank Lloyd is seeking Loretta Young for the leading feminine role in "The Lady From Cheyenne," which Universal will release.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 98

NEW YORK, MONDAY, NOVEMBER 18, 1940

TEN CENTS

DOUBT DECISION ON DECREE WITHIN WEEK

Cuban Exhibs. to Ask Gov't to Suspend Decree

THE WEEK IN REVIEW Decision Reserved

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: At the hearing on the proposed consent decree before Federal Judge Henry W. Goddard on Thursday, the Court reserved decision after listening to arguments of protesting exhib. and distrib. units. Columbia Counsel Louis D. Frohlich held that the decree was financially perilous to Columbia in that it would be unable to borrow money for pix the returns on which would be tied up for months. He also challenged the court's right and power to sign the decree. U. A. and "U" counsel concurred. . . . Abram F. Myers on behalf of Allied called the decree "inherently unjust and inequitable" and asserted it was "beyond the power of the court to enter" . . . James Hayes, for the Gov't, defended the idea back of the blocks of five provision . . . Local 802, A F of M, the ITOA, the MPTOA, the PCC of ITO, Allied Theaters of N. Y., the TOPA of Texas, Southeast Theaters, Interstate Circuit, Robb & Rowley Circuit, TO of Virginia and N. W. Allied were other units that were represented in opposition to the decree. . . . In a new Gov't complaint aimed at the "Little 3," arbitration for all eight majors was asked. . . . Regular arbitration setup under the decree was forecast for Feb. 1, boundaries of the 33 arbitration districts were set up and J. Noble Braden, exec. sec'y of the AAA was scheduled to travel over the country to engage clerks for the arbitration boards.

THIS AND THAT: Copyright Protective Bureau announced discovery of wholesale violations of the copyright law . . . Eastman Kodak announced a \$2,625,000 bonus for its employees . . . Spurt in buying product was noted. . . . N. W. Allied sought a law against 16 mm. pix opposition . . . A T & T was reported retiring from the motion picture field, retaining only the Erpi sound system . . . Special student admish prices were found facing a Federal tax, arousing opposition from N. W. Allied and other exhib. units. . . . Fenner &

(Continued on Page 7)

Resumption of American Distribution is Said to Depend on Gov't Action

Havana (By Cable)—Whether or not U. S. distributors operating here would continue to service theaters at the week-end rested in the laps of the exhibitors, with an attempt being made by theater groups to petition the Secretary of Commerce for a suspension of the anti-block-book-ing decree which started the dispute. The U. S. distributing companies when the decree was first handed

(Continued on Page 6)

Shea Circuit Under Trustees 10 Years

Dennis F. O'Brien, Edward C. Rafferty and Edmund C. Grainger were named trustees of the various companies headed by the late M. A. Shea, circuit operator, who died Oct. 19. This was revealed in Shea's will which provided that the same three men be co-executors of his estate. Under the terms of the will the busi-

(Continued on Page 6)

Sarnoff's RCA Pact Renewed at \$100,000

Agreement between RCA and David Sarnoff whereby the latter will retain his post of president of the corporation for the next six years at his present salary of \$100,000 was revealed in reports of salary agree-

(Continued on Page 6)

UA Theater Circuit Net Soars \$300,633 More Than Doubles 1939 Figure

48 Pix Believed on Para.'s 1941-42 Schedule

Hollywood — Paramount officials refused to comment on a published report that the company will release 48 pictures for the 1941-42 season, but observers believe the number will prove correct.

At the sessions between theater

(Continued on Page 8)

MARTIN BECK RITES TODAY

Theater and Vaude Veteran
Dies After Operation

Funeral services for Martin Beck, 73, veteran theater and vaudeville executive, founder of the Orpheum circuit and at one time managing director of Radio-Keith-Orpheum, will be held at 2 p.m. today in Campbell Funeral Home, 81st St. and Madison Ave. Interment will be in Salem Field.

Death of the dean of American variety showmen, builder of 65 U. S. theaters, including both the Palace and Martin Beck here, occurred Saturday in Mount Sinai Hospital of complications which followed an abdominal operation.

Beck, for 27 years was president of Orpheum. He retired from vaudeville in the early 20's, erected the

(Continued on Page 6)

Film Promotion Lags, Review Board Hears

Film advertising and promotion were criticized as "still far behind the procession" by Mrs. Ralph T. Edwards, motion picture editor of Parents Magazine, speaking Friday at the annual conference of the National Board of Review at the Hotel Pennsylvania, Mrs. Edwards' criti-

(Continued on Page 7)

ITOA Answering Brief Still In Work; Hear Reports of Possible Consent Changes

Action on the consent decree by Federal Judge Henry W. Goddard is not likely for at least a week, according to Milton Weisman, attorney for the ITOA. Weisman was granted permission by Judge Goddard to file an answering brief which will not be ready for a few days.

Weisman over the week-end studied the transcription of the minutes on Thursday's public hearings before Judge Goddard and expects to base part of his answers on what was said by the counsels for both exhibitor interests and the so-called

(Continued on Page 7)

MPTOA Sees Decree Reversing Purpose

Ed Kuykendall, MPTOA president, said on Friday that he believed the Department of Justice had been sincere in trying to work out a consent decree that would be beneficial to, and protective of, the interests of independent exhibitors. But, he added, in its anxiety to conclude a thing on which it had given months

(Continued on Page 8)

Allied Directors Won't Assemble Before January

Whether the consent decree is signed or not, Allied directors will not be called to assemble until the annual board meeting in January, Abram F. Myers, general counsel, said before returning to Washing-

(Continued on Page 7)

No More Jap Favors For New Year's Eve

Milwaukee—"Made in America" will be the rule for New Year's Eve favors to be used by Warner theaters in this territory this year. In 1939, managers found that many of the favors had been made in Japan, with the result that there were patron squawks.

Net income of the company before

THE FILM DAILY

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JOHN W. ALICOATE : : : Publisher

DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : Editor

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FINANCIAL

(QUOTATIONS OF FRIDAY, NOV. 15)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	10	10	10	—
Col. Picts. vty. (2½%)	57½	57	57½	— ¾
Columbia Pict. pfd.	22½	21½	21½	— ¾
Con. Fm. Ind.	9½	9½	9½	—
Con. Fm. Ind. pfd.	9½	9½	9½	—
East. Kodak	142	141	141½	— ¼
to pfd.	176	175	176	— ½
Gen. Th. Eq.	11½	11¼	11¼	— ½
Loew's Inc.	30	28¾	28½	— 1½
do pfd.	106	106	106	—
Paramount	9½	8½	8½	— ¾
Para. 1st pfd.	94	94	94	—
Para. 2nd pfd.	10	10	10	—
Pathe Film	104½	104	104	— ¼
RKO	2½	2½	2½	—
20th Century-Fox	6½	6	6	— ¾
20th Century-Fox pfd.	16½	16½	16½	— ½
Univ. Pict. pfd.	3½	2½	3	— ¾
Warner Bros.	3½	2½	3	— ¾
do pfd.	3½	2½	3	— ¾

NEW YORK BOND MARKET

Keith B. F. ref. 6½%			
Loew's deb. 3½% 46.104	104	104	+ ¾
Para. B way 3½%			
Para. Pict. 6½%			
Para. Pict. vty. 3½% 47.94	94	94	+ ½
Warner Bros. deb. 6½% 89	88½	89	+ 1
NEW YORK CURB MARKET			
Monogram Pict.	9½	8½	½ +1-16
Sonotone Corp.	9½	8½	8½
Technical	9½	9½	9½ — ½

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. '45	65	69
Roxy Theat. Bldg. 4½ '57	62	64

Rose Coming by Boat

Although Paramount's foreign department had believed that David Rose was in Lion-on en route to the U. S., it was learned at the week-end that the managing director for England was still in London. As all the Clippers were on this side of the Atlantic, Rose was advised to seek steamship passage.

Carl Ross Dead

Chester, N. S.—Carl Ross, 29, for several years on the staff of Loew's Theater, Montreal, died here.

The Broadway Parade

Picture and Distributor	Theater
The Great Dictator (United Artists-Chaplin)—6th week (d)	Capitol
Escape (Metro-Goldwyn-Mayer Pictures)—3rd week	Music Hall
Northwest Mounted Police (Paramount Pictures-De Mille)—2nd week	Paramount
Seven Sinners (Universal Pictures)	Rivoli
Tugboat Annie Sails Again (Warner Bros. Pictures)—2nd week	Strand
You'll Find Out (RKO Radio Pictures)	Roxy
Sky Murder (Metro-Goldwyn-Mayer)	Criterion
Angels Over Broadway (Columbia Pictures)	Globe
Kit Carson (United Artists-Small)	Loew's State
The Great Bank Robbery (Columbia Pictures)	Rialto
The Range Busters (Monogram Pictures) (a)	Central
Hold That Woman (Producers Exchange) (a)	Central
Down Argentine Way (Twentieth Century-Fox) (a-b)	Palace
Youth Will Be Served (Twentieth Century-Fox) (a)	Palace
Here is Ireland (Irish-American Film Corp.) (b)	Squire

◆ TWO-A-DAY RUN ◆

The Great Dictator (United Artists-Chaplin)—6th week	Astor
Fantasia (Walt Disney)	Broadway

◆ FOREIGN LANGUAGE FEATURES ◆

The Baker's Wife (The Baker's Wife Co.)—37th week	World
Two Women (Paragon Pictures)—3rd week	55th St. Playhouse
Heritage (French Cinema Center)—3rd week	Belmont
Melodias de Antano (Spanish musical feature)	48th St. Theater
Merry Wives (Eggar Lloyd)—2nd week	Bryant

◆ FUTURE OPENINGS ◆

The Letter (Warner Bros. Pictures)—Nov. 22	Strand
Bitter Sweet (Metro-Goldwyn-Mayer)—Nov. 21	Music Hall
The Kiss of Fire (Hakim Bros.)—Nov. 19	Little Carnegie
Third Finger, Left Hand (Metro-Goldwyn-Mayer) (c)	Capitol
The Man of the Hour (Trio Films)—Nov. 21 (c)	55th St. Playhouse
Blackout (United Artists) (c)	Globe
Second Chorus (Paramount Pictures) (c)	Paramount
Too Many Girls (RKO Radio Pictures)—Nov. 21	Criterion
Tin Pan Alley (Twentieth Century-Fox)—Nov. 21	Roxy
Knute Rockne—All American (Warner Bros. Pictures)—Nov. 21 (a-b)	Palace
Always a Bride (Warner Bros. Pictures)—Nov. 21 (a)	Palace
Law and Order (Universal Pictures)—Nov. 20 (a)	Central
Among Human Wolves (Times)—Nov. 20 (a)	Central
The Lady in Question (Columbia Pictures) (c)	Bryant
Amor Over Sweden (Scandinavian Talking Pictures)—Nov. 29	48th St. Theater
The Great Beginning (Artkino)—Nov. 20	Miami Playhouse

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous, unreserved.

Austrian Composers Sue Ascaph to Get AKM Coin

Leo Ascher, Hermann Leopoldi, Ladislav Szucs and Franz Sabotka, Austrian composers, filed suit today in the New York Supreme Court against Ascaph and asked the Court to order the defendant to pay over all sums which Ascaph now owes to AKM, Austrian equivalent of the defendant. Plaintiff, in July 1940, obtained a judgment against AKM for \$99,658 and are seeking to collect the judgment on moneys allegedly due from Ascaph to AKM.

Canada Calls Davidson To Work With Grierson

Montreal—J. D. Davidson, prominent British documentary film director, is leaving London shortly for Canada to assist the Dominion Government in production of moving pictures. He will work with John Grierson, Film Commissioner. Davidson, pioneer in the documentary film movement, was one of the original members of the Film Section of the Empire Marketing Board formed by the British Government in 1930.

MacFayden Funeral Held

Funeral services for Harry MacFayden, 59, former stage and film director and for the past eight years production director for RKO, were held here Saturday.

Bishops Ask United Front Against Objectionable Pix

Washington Bureau of THE FILM DAILY
Washington — Strong protest against the "increasing objectionable tendencies which lately have become manifest in films" was expressed here in a statement issued during the annual meeting of the Archbishops and Bishops of the Catholic Church in the United States by the Episcopal Committee on Motion Pictures.

"We call upon priests and people to maintain and strengthen diocesan organization of the Legion of Decency in each diocese, and to co-ordinate efforts with the National Office of the Legion in New York, so that a united front may stand firmly against films morally objectionable," the committee's statement said.

The committee expressed gratitude to the press generally, for the support given the movement for decency in motion pictures.

The Episcopal Committee on Motion Pictures consists of the Most Rev. John T. McNicholas, P. P. Archbishop of Cincinnati, chairman; the Most Rev. John J. Cantwell, Archbishop of Los Angeles; the Most Rev. Hugh C. Boyle, Bishop of Pittsburgh; the Most Rev. John F. Noll, Bishop of Fort Wayne, Ind., and the Most Rev. Stephen J. Donahue, Auxiliary Bishop of New York.

COMING and GOING

ED KUYKENDALL, MPTOA prexy, left New York Saturday for Atlanta and his home in Columbus, Miss.

LEWIS MILESTONE is at the Pierre.

DAN GREENHOUSE, RKO's manager for the Philippines, arrived in Los Angeles Friday by Clipper from Manila and is expected in New York late this week. He is here for a vacation.

KENNETH MCKENNA, story editor for Metro, arrives in Hollywood today after several weeks in New York for home office conferences and a look at the current Broadway plays.

STANLEY RIDGES is due here from the Coast in the next couple of weeks.

NORMA SHEARER returns to the Coast Wednesday.

RICHARD DERR, New York actor, leaves for the Coast this week to start work under a 20th-Fox pact.

EDWARD RAFFERTY left over the week-end for the Coast to attend UA's stockholders meeting.

WB Will Re-issue "Navy"; Memphis Premiere Dec. 6

"Here Comes the Navy," will be re-issued by Warners next month, with a second world premiere backed by a heavy advertising and publicity campaign launching the picture Dec. 6 at the Warner Theater in Memphis, it was revealed Friday by Grad Sears, sales chieftain.

Sears, who plans to put the picture into general release Dec. 21, commented Friday that today, Cagney and O'Brien, stars of the picture, have a greater audience by far than when the picture was originally released in 1934.

Bank Silent on Reports Fairbanks Estate to Sell

West Coast Bureau of THE FILM DAILY
Hollywood—Officials of the Bank of America, executor of Douglas Fairbanks' estate, at the week-end refused to affirm or deny published reports that the estate is seeking to dispose of its one-fifth ownership of United Artists.

The report found circulation at the approach of tomorrow's meeting here of UA's stockholders, arousing lively speculation. The Fairbanks estate's fifth stock interest in UA recently was tentatively valued at \$500,000 by the California estate appraisal department.



From THE FILM DAILY to:
Frances Marion
Claude Macgowan
Margaret Seddon
Eugenia Gilbert

1940
G
Paramount's Motto for 1940-41

"Love Thy Exhibitor"



First we warm the hearts of exhibitors from coast to coast with a picture they can play at ADVANCED PRICES AND MAKE A CLEAN-UP ON



"North **W**est **M**ounted **P**olice **"**



Then we come through with the Claudette Colbert, Ray Milland comedy-romance-drama that critics give top ranking, audiences cheer and exhibitors are playing to record-breaking grosses . . .

"Arise, **M**y **L**ove **"**

. . . And NOW we offer the most sensational holiday picture ever to bring Christmas cheer to your box office . . . America's two top comedians together for the first time on the screen in the No. 1 laugh show of all time.

JACK

BENNY



FRED

ALLEN

"LOVE THY NEIGHBOR"

with **MARY MARTIN** • Verree Teasdale and **ROCHESTER**

Original Screen Play by William Morrow and Edmund Beloin, Ernest Pagano and Z. Myers • A Paramount Picture



Produced and Directed by **MARK SANDRICH**



"O-KAY KYSER,"



Eileen Creelman, N. Y. Sun:
"This Kay Kyser is a super show-
man... 'You'll Find Out' is a mystery
melodrama, and it also is fun."

**L. M., N. Y. Daily
Mirror:**

"Fans will go for
this with open arms
... a lot of entertain-
ment."

**Phil Scheuer, L. A.
Times:**

"Most successful ex-
ample of its kind."

Archer Winsten, N. Y. Post:

"Lively, and full of all the tricks
of the thriller trade... In addi-
tion, the band plays, the comics
indulge in humor, Ginny Simms
sings and all the kids seem to
have a good time."

Film Daily:

"A surprise package of swell
popular entertainment... Novel
and highly amusing... Lots of
laughs."

Hollywood Variety:

"A laugh riot from start to
finish."

KAY KYSER

IN THE MYSTERY WITH MUSIC

YOU'LL FIND OUT

WITH THOSE THREE BAD BAD-HUMOR MEN

LORRE · KARLOFF · LUGOSI

PARRISH

DENNIS O'KEEFE · ALMA KRUGER and **KAY KYSER'S BAND**
featuring **GINNY SIMMS** **HARRY BABBITT** · **ISH KABIBBLE**
SULLY MASON and "THE COLLEGE OF MUSICAL KNOWLEDGE"

Produced and directed by **DAVID BUTLER**

Screen play by James V. Kern

**R K O
RADIO
PICTURES**

YOU'VE GOT A HIT," shout trade and press critics . . .

Motion Picture Daily:
"Lively, fast-moving box-office merchandise which should be easy to sell and should leave the customers laughing."

Cecelia Ager, PM:
"The Roxy has surrendered to Kay Kyser . . . everybody, cashiers included, seems to be happy about the whole thing."

Harry Mines, L. A. News:
"Riotously funny combination of mystery and music. It's a winner."

Motion Picture Herald:
"A welcome dish of picture entertainment . . . audience in New York roared with enjoyment . . . Applause greeted the interludes devoted to music."

Los Angeles Examiner:
"The audience ate it up. A great dish of entertainment. For laughs combined with chills, you can't beat it."

Hollywood Reporter:
"A sure hit. Should pass the exceptional box-office record made by Kay Kyser's first picture."

CURRENT ATTRACTION AT THE ROXY, N. Y. FOR ENGAGEMENT LIMITED TO ONE WEEK ONLY!

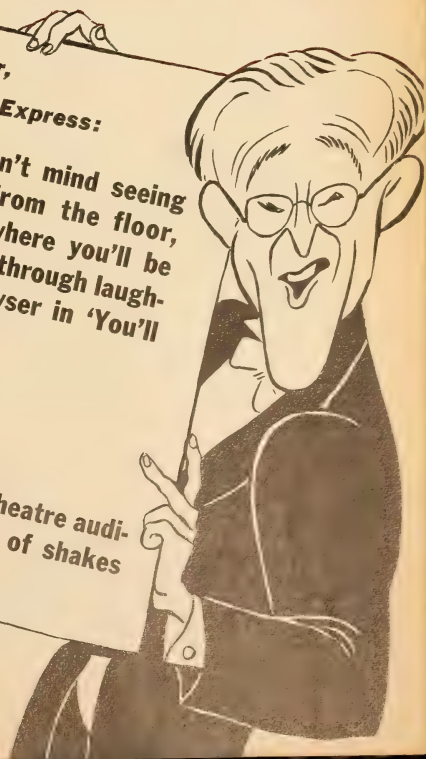
THANKSGIVING WEEK ATTRACTION EVERYWHERE!

**Jimmy Starr,
L. A. Herald-Express:**

"If you don't mind seeing a picture from the floor, that's where you'll be when you're through laughing at Kay Kyser in 'You'll Find Out.'"

**Kate Cameron,
N. Y. Daily News:**

"Had the Roxy Theatre audience in a dither of shakes and shouts."



Shea Circuit Under Trustees 10 Years

(Continued from Page 1)

ness is to be held in trust for 10 years, with directions to the trustees to operate the companies.

Grainger, who has been the operating head of the circuit since 1936, has been named president and general manager of 10 of the Shea companies and will fill the position which Shea held on the board of directors of seven subsidiaries.

Under the new setup, officers of the Shea organization, in addition to the presidency held by Grainger, are as follows: Dennis O'Brien, vice-president; E. C. Raftery, treasurer and assistant secretary; Thomas E. Shea, secretary; A. J. Kearney, assistant secretary; George Goett and Preston G. Tuckerman, assistant treasurers.

Companies controlled by the Shea interests include Shea Theater Corp., Erie Amusement Co., Shea Chain, Inc., Zanesville Theaters, Inc., Jamestown Amusement Co., State Theaters, Inc., State Operating Co., Colonial Theaters Co., Ashtabula Theaters Co. and Fulton Shea Theaters Co. Subsidiaries are Washington Theaters Co., Midland Theaters Co., Newark Amusement Co., United Shea Theater Corp., Amherst Theaters, Inc., Tremont Theaters, Inc. and New Hampshire Amusement.

Shea circuit operates 21 theaters and is associated with Warner Bros. in the operation of eight others.

Cohen's Norwood, Detroit, Becomes Associated Link

Detroit — Associated Theaters is acquiring the eleventh house for a circuit, by taking over the Norwood from Ben and Lou Cohen. House is to be operated directly by the new Standard Theater Co., formed by Associated. The Norwood is directly across the street from Associated's Center. Joe Klein, formerly of the Loop, will manage the house, with Fred Walton taking the Loop.

320 Openings for "Letter"

Warners "The Letter" will open in 320 simultaneous engagements over the Thanksgiving Day week-end. The Bette Davis starrer is scheduled to have its New York Premiere at the Strand on Friday.

Wotta Idea for Pix!

Washington Bur., THE FILM DAILY

Washington—Something brand new in the use of motion pictures was displayed here at a stockholders meeting of General Mills, when instead of reading a dry financial report, a film was shown depicting the various ways the revenues were dispersed and the company's financial condition.

James F. Bell, board chairman, said the object was to present the financial report in the simplest form. Film, produced by Documentary Films Distributors, Inc., ran 20 minutes.



TUCSON

● ● ● BY the time you read this.....Tucsonites may have decided to grab some shut-eye.....after an unprecedented civic celebration.....whose vortex and reason-for-being was the five-theater world premiere of Columbia's "Arizona".....produced by the redoubtable Wesley Ruggles.....and ingeniously directed by him.....Technically, the celebration started a week ago today.....via Pioneer Week..... whose advent was signaled by a telegram dispatched by President Roosevelt to Henry O. Jaastad, Mayor of Tucson.....Said F.D.R.: "My hearty greeting to all the Arizona pioneers.....I trust the celebration will be a great success and one which will inspire all who participate.....with a determination to rededicate themselves to the ideals of the Arizona settlers" The President's hope that Pioneer Week would be a great success.....was richly fulfilled.....The Tucson Chamber of Commerce's "Committee of 50,000" saw to that.....They turned Congress St. into an Indian Village.....—reopened Old Tucson (built by Columbia as a background for the picture) as a fiesta ground.....—staged cock-fights, an old-time meller, pioneer gambling games.....—revived the Old Tucson Post Office with Jean Arthur as honorary postmaster.....—and then settled down to even more serious celebrating.

● ● ● TO recount in detail the enormous concentration of activities.....'twixt midnight Friday morn through Saturday would require a stout volume.....What the trade wants to know.....is the reaction of the 250 or so newspaper and magazine correspondents.....who flooded Tucson to see the picture.....—scribes from every section of the country.....Well, the invaders were completely captured.....It was a great, decisive victory for Wesley Ruggles.....and Columbia's High Command.....consisting of the personally-present Harry Cohn, Jack Cohn, A. Montague, Rube Jackter, Nate Spingold, Lou Weinberg, Lou Astor, Max Weisfeldt.....plus Division Managers Phil Dunas, Carl Shalit, Sam Galanty, Jerome Saffron and Los Angeles Branch Manager Wayne Ball....Among the screen luminaries of "Arizona" and other Columbia and sister studios' players were:.....Jean Arthur, Porter Hall, Warren William, Regis Toomey, Paul Harvey, Rita Hayworth, Glenn Ford, Paul Lukas, Jack Holt, John Mack Brown, Fay Wray, Guy Kibbee, Florence Rice and Charles Ruggles.

NEW YORK

● ● ● HERE and elsewhere:.....Bob Chester and his Orchestra will furnish the music for the some 2,000 Warner Club members and their guests at the org.'s Thanksgiving Dinner-Dance next Saturday night in the Hotel Commodore.....Marlene Dietrich sings three songs in her new starring opus, "Seven Sinners," now at the Rivoli whose manager, Jimmy Dunn, is back of the picture hammer-and-longes.....That was quite a lobby window display at the News Reel Theater in Rockefeller Center re the mystery yarn "News Reel Murder" by Prosper Buranelli of Fox Movietone's editorial staff in which the commentator, who resembles Lowell Thomas, is murdered (a big picture in the display showed Lowell reading about his violent demise).....John Mednikow, recently appointed manager of the Milwaukee branch of National Screen Service, is awful happy about that swell silver service his pals gave him at the recent dinner in his honor held in Chicago's Congress Hotel (How's it look, John, in the new abode?)....."Land of Liberty," the feature which was filmland's contribution to the New York World's Fair, and is now being released nationally by M.G.M., gave eloquent testimony of its quality and power in a preliminary three-day run this past week at the Rialto, Williamsport, Pa., by smashing all receipts and attendance records and topping such wows as "The Women" and "Edison the Man".

Cuban Exhibs. to Ask Decree Suspension

(Continued from Page 1)

down took the position that they would not service accounts after Oct. 15 unless it was amended, modified or suspended, but on the Oct. 1 date an extension of service for 30 days was agreed upon. However, Friday passed without any further extension being discussed or granted.

Attempts to arbitrate the matter have failed, and now apparently the matter is going to be left in the hands of the exhibitors for settlement. Majority of the exhibitors are said to be anxious to get a petition asking that the decree be suspended, signed as quickly as possible for presentation to the Secretary of Commerce.

Sarnoff's RCA Pact Renewed at \$100,000

(Continued from Page 1)

ments and other corporate data to the Securities and Exchange Commission published Friday.

At the end of the six-year period, the reports showed, Sarnoff will receive a pension at the rate of \$20,000 per year.

Martin Beck Dies at 73; Funeral Services Today

(Continued from Page 1)

Martin Beck as a legit. house in 1923 and in 1932, returned to vaude in an advisory capacity with RKO. Later, for about a year, he was RKO's managing director.

Surviving are his widow and two daughters.

20th-Fox Salesmen Will Start Holiday Dec. 23

Two weeks' holiday for 20th-Fox salesmen will start Dec. 23 and last to Jan. 6, it was announced at the week-end by Herman Wobber, general manager of distribution for the company. Annual Kent Sales Drive winds up Dec. 21.

Company reported at the week-end that a number of districts were running ahead of bookings for the same period of the Drive last year as it started its final month.

CFI to Pay 25 Cents

Board of directors of Consolidated Film Industries on Friday declared a preferred stock dividend of 25 cents a share, payable on Dec. 27 to holders of record on Dec. 5.

Just Coincidence?

Rochester—It was either coincidence or good booking.

At any rate, "Bittersweet" will play at Loew's Rochester for a week opening Friday, and the following Monday night Jeanette MacDonald will appear in person in a concert at the Eastman Theater. Plenty of tie-ups are being arranged by Lester Pollock, Loew's manager.

Doubt Decision on Decree Within Week

(Continued from Page 1)

"little three." The brief, itself, probably will be completed by mid-week.

Rumors to the effect that the Department of Justice and industry attorneys would attempt to make some changes in the consent decree before Federal Judge Henry Goddard renders his decision were in circulation over the week-end. Nature of the reported changes was not disclosed but it is believed by some that it would involve the proposed method of selling.

Allied Directors Won't Assemble Before January

(Continued from Page 1)

ton, following the public hearings in New York. Myers said some of the directors may attend the Indiana unit's convention next week and an informal meeting may be held.

Quietus for Olson Suit

Indianapolis—Suit filed by Charles M. Olson, operator of the Lyric Theater and head of the Olson Enterprises, in Circuit Court against the operators of three local theaters and nine distributing companies, charging an attempt to put the Apollo Theater out of existence through violation of the Sherman Act has been quitted, it was confirmed Friday by Olson.

"Road Show" Bows Dec. 6

Hal Roach's "Road Show" will have its first showing at the Stanley Theater in Pittsburgh on Dec. 6. Engagement will be in the form of a test engagement to determine promotion policy.

WEDDING BELLS

Cleveland—Geraldine O'Horo, secretary to Columbia branch manager Lester Zucker was recently married to Albert Ely, local attorney. Miss Hilda Klein moves up from biller to succeed her and Laverne Haessley joins the office force to succeed Miss Klein.

Scranton—William Andres, head of the Comerford theaters candy department, and Betty Rainey, in the Comerford accounting department, were married.

Scranton—William L. Kays, manager of Globe Theater, and Dorothy Rita Dolan were married in St. John the Evangelist Church.

West Coast Bureau of THE FILM DAILY
Hollywood—Kay Griffith and Broderick Crawford will wed Thursday.

Elkton, Md.—Ethel Merman and William B. Smith, Hollywood artists' rep., were married here Friday.

Holdup of Capitol Theater, Boston, Proves To be a "Smoke Screen" for Major Robbery

Boston—Here's something really new in the way of crime stories. In order that a liquor store on Commonwealth Ave. might be successfully held up and robbed of several thousands of dollars, a minor league or almost "phony" holdup was staged at the Capitol Theater two doors distant. Plan of the holdup men was obviously to attract the attention of the police and whatever passersby there might be to the theater holdup. It succeeded.

Film Advertising Lags, Board of Review Hears

(Continued from Page 1)

cism was based on the claim that neither advertising nor promotion told enough of what actually was in the picture.

The Parents Magazine editor also told the conference that the ability of the child to choose its own films should be respected, that children's film taste is much more sophisticated than adults credit, and that during the past year, release dates of family audience films have not been spread out evenly enough.

Judge Stephen S. Jackson, director of the Bureau for Prevention of Juvenile Delinquency asserted claims of the influence of so-called gangster films on children were exaggerated. He said, however, that from the standpoint of "pull," films exercised a greater influence on youngsters than any other medium.

Vivyan Donner of Fox Movietone and Ilka Chase both discussed screen fashions, the former stating that South America was "crazy" about American fashion shorts, while the former observed that screen fashions generally were impractical and "very funny."

Margaret Thorp, author of "America at the Movies," stressed that audiences were beginning to discover the director as the fundamental screen artist; Virgil Thompson, Herald-Tribune music critic, declared that music in the fiction film should be used as in the theater—merely to open and close the show; Oliver T. Griswold of the Rural Electrification Administration assured that Government films were not intended to compete with Hollywood; Mark Starr discussed the film activities of the International Ladies Garment Workers Union.

Conference closed Saturday with the 26th annual luncheon at which Walt Disney was among the honor guests.

Frank Gross Acquires Two Schwartz Theaters

Cleveland—Frank Gross, owner of the Grand, Cedar and Quincy theaters, has just concluded a deal to take over the Broadvue and New Y theaters from Ernest Schwartz. Stuart Cagney has been named manager for the Broadvue. Schwartz retains the Norval.

Screencraft-Levinson Deal

Screencraft has closed a distribution deal with Mike J. Levinson of Los Angeles for the "Emperor Jones" in California, Nevada, Arizona and Hawaii.

UA Theater Circuit Net Doubles 1939 Figure

(Continued from Page 1)

deducting interest, depreciation, amortization and provision for Federal income taxes was \$573,631.79.

Annual meeting of the stockholders has been set for Nov. 25 in Baltimore.

Jacobs Forms Imperial As Cleveland Distrib.

Cleveland—M. M. Jacobs, formerly associated with F. Arthur Simon in Lake Shore Sales Co., has formed Imperial Pictures Co., and has opened an office at 718 Film Bldg. Imperial has acquired the northern Ohio distribution rights to Astor and Mohawk product. Jacobs will also continue to sell Winner, a theater game.

Simon will continue to operate the Lake Shore Sales Co. in its present location, with bicycle and premium deals.

THE WEEK IN REVIEW Decision Reserved

(Continued from Page 1)

Beane Industries Service forecast a rise in pix company earnings . . . National Board of Review met in N. Y. City with approximately 500 in attendance . . . Allied of Texas doubled its budget for the coming year and re-elected Col. H. A. Cole prexy . . . Walt Disney's new venture in cartoons, sound and color, "Fantasia," opened at the N. Y. Broadway Theater to paeans of praise from the critics . . . Illinois UTO will co-op with the St. Louis MPTO . . . Edgar Kobak, NBC vice-prexy, urged at Ampa luncheon that films engage their own radio commentators.

Feature on Theodore Roosevelt

Hollywood—Warner Bros. will film a biographical picture on the life of Theodore Roosevelt to be called "Teddy and the Boys." Gordon Hollingshead has been signed to write the scenario. Sidney Blackmer will play the role of Theodore Roosevelt in the feature as he did in a previous Warner short subject.

Single Features in Glencoe

Glencoe, Ill.—Sam Myers has adopted a single feature policy for the new Glencoe here.

MELODY RANCH
A REPUBLIC PICTURE
GENE AUTRY with
JIMMY DURANTE
ANN MILLER

"Just picture me, struggling with a million verbs, adverbs, nouns, prepositions, apostrophes, commas . . . and coming out on top without a bruise!"

and BARTON MURRAY • BARBARA ALLEN IVIEA VAGUE
GEORGE "GABBY" HATES • JEROME COWAN • MARY LEE
JOSEPH SANILET DIRECTOR

MPTOA Sees Decree Reversing Purpose

(Continued from Page 1)

of effort, the D of J has allowed itself "to be worked into a consent decree that reverses the purpose for which they started."

Kuykendall said that William P. Sims, attorney for the MPTOA, was speaking not only to Federal Judge Henry W. Goddard while attempting to point out the defects of the decree at the hearings Thursday, but also to the Dept. of Justice men who were present in order to impress on them the alleged mistakes in the document.

While not wanting to go into the mechanics of the decree, Kuykendall predicted that if the decree is passed in its present form, it will stir up more dissension, turmoil and law suits than ever before.

"Nobody can predict Judge Goddard's decision," Kuykendall said, "but whatever comes of it, the MPTOA will continue to fight for the interests of the independent exhibitor."

48 Pix Believed on Para.'s 1941-42 Schedule

(Continued from Page 1)

partners, home office and production which was ended Friday, much time was devoted to titles and prospective casting for future pictures, with exhibitors suggesting many titles and also revealing facts on box-office powers of various stars and featured players.

The visiting theater men also made it evident they do not want cycles nor do they wish to rely on one type of product. They ask that product for next season be well balanced. They were assured that the production department would not stint and that the outlay on worthy stories would be sufficient.

Mono. Advance Playdate Report at All-Time High

West Coast Bureau of THE FILM DAILY

Hollywood—Monogram's advance play date report for the 8-week period from Nov. 18 has hit an all-time high, exceeding by \$25,000 the previous record report issued last May 18, according to President W. Ray Johnston.

TO THE COLORS!

Rochester—The assistants at Loew's Rochester here are military-minded. George McGunnigle, assistant manager, is waiting for his commission in the Naval Reserves, while Alvin Leonard, student assistant, is taking flight training at the local airport under the CAA program.

REVIEWS OF NEW FILMS

"Melody Ranch"

with Gene Autry, Jimmy Durante, Ann Miller
Republic 84 Mins.

WELL-MADE MUSICAL COMEDY IN WESTERN SETTING. HAS STRONG POP APPEAL AND AUTRY AT HIS BEST.

Boasting a budget of a half million dollars, Republic's and Gene Autry's most expensive and expansive mutual production is a gilt-edge musical comedy enacted in a western setting and flavored with an atmosphere of radio broadcasting as if to symbolize the star's parallel main activities in the entertainment field.

The title conveys a good idea of what the feature contains—lots of music of the mellow pop variety and lots of action typical of sagebrush sagas. On the side of song, Autry, at his best, croons several, two of which, "Never Dream the Same Dream Twice" and "Call of the Canyon," are standouts and appear destined to find slots in the true hit class,—which will be a happy situation for the composers, yes, and for the box-offices of theaters playing the attraction, because when the public really hears, so does business in connection with the hit-hatching vehicle.

"Melody Ranch" (there's a song by that name in the picture, too, but we mean the film itself) has more than Autry and ditties. There's Jimmy Durante to furnish comedy relief; Barbara Allen (much better known by her professional panhandle, Vera Vague) to aid in extracting laughs; and comely and wholesomely-exotic Ann Miller to quicken the male pulse, glorify and please the femme fans, and be historically the romantic apple of the Autry eye.

The team of Autry-Miller must be set down in the innovation-in-movies column, for, unless memory fails us, this is the first time we've ever seen Gene kiss a gal in real life. There's another precedent-setting something in this picture,—to the best of our knowledge,—and it's that the redoubtable Autry takes a beating in a brawl. True, he lives to fight again another day,—and wins, chivalrously informing each adversary, "You're next!" or words to that effect.

The story recounts how Gene, appointed an honorary sheriff by his home town, hies there with his radio program's sponsor (Jerome Cowan), Ann Miller (the program's co-star and the sponsor's girl friend), and Jimmie Durante. Gene finds his native burg crime-ridden by a trio of badmen brothers, Barton MacLane, Joseph Sawyer, and Horace MacMahon, and rids the community of their rule after he's elected the real sheriff. There's much melodrama, hard riding, gun-play, fisticuffs, singing, a slick specialty number by Miss Miller, and romance in which she and Autry engage,—ending up in that state. Film is good enough for all but the very swank stands.

It's slower in pace during the first half than the second; has a good rousing climax; is directed well by Joseph Santley; its photography is of a high order; and the cast gets everything there is to get from a creditable script. Exhibs. everywhere can play this one with confidence. It's well pre-sold, and Autry's name is duck-soup for the marquee.

CAST: Gene Autry, Jimmy Durante, Ann Miller, Barton MacLane, Barbara Allen (Vera Vague), George "Gabby" Hayes, Jerome

"Blackout"

with Conrad Veidt and Valerie Hobson
United Artists 80 Mins.

BRITISH WAR ESPIONAGE FILM IS SMOOTH AND SUSPENSEFUL.

Against a background of blacked-out London, British National Films has produced a thoroughly enjoyable picture of espionage and counter-espionage during the early stages of the present war. Smoothly directed, the film maintains interest and suspense throughout the footage.

Much of the credit is due to the grand direction of Michael Powell and the scenario by Powell and Brock Williams, from Emeric Pressburger's original. Conrad Veidt adds another good characterization to his list while Valerie Hobson does a nice job as an English agent.

Story opens at sea as a British patrol boat escorts a Danish ship to a contraband port. The ship's cargo is approved and permission to sail is given for the following morning, with the captain (Veidt) invited ashore for the evening. His passes are stolen by two passengers, a man and a woman, and the captain gives chase, catching up with them on a London-bound train. In darkened London the man escapes but the captain manages to keep up with the girl. She is captured by German agents and the captain apprehended with her. Taken to the German agents' hideout, the captain discovers his passenger is a British spy. After a series of exciting adventures in an old loft building and an adjacent night club, they manage to escape. The girl turns her information over to the authorities and they get back to the ship in time for a dawn sailing.

CAST: Conrad Veidt, Valerie Hobson, Hay Petrie, Esmond Knight, Raymond Lovell, Charles Victor, Paddy Browne.

CREDITS: Producer, John Corfield; Associate Producer, Roland Gillett; Director, Michael Powell; Original and Screenplay, Emeric Pressburger; Scenario, Michael Powell, Brock Williams; Cameraman, F. A. Young; Musical Director, Muir Mathieson; Editor, John Seaborne.

DIRECTION, Fine. PHOTOGRAPHY First Rate.

Engel Replacing Tyson

Philadelphia—Harry Tyson has resigned as RKO salesman here, effective Nov. 25. He will be succeeded by Jack Engel, up to now with Universal here as salesman.

Cowan, Mary Lee, Joseph Sawyer, Horace MacMahon, Clarence Wilson, William Benedict.

CREDITS: Associate Producer, Sol C. Siegel; Director, Joseph Santley; Screenplay, Jack Moffitt, F. Hugh Herbert; Special Comedy Sequences, Sid Kuller, Ray Golden; Production Manager, Al Wilson; Photography, Joseph August; Supervising Editor, Murray Seldan; Film Editor, Lester Orlebeck; Art Director, Joseph Victor Mackay; Musical Director, Raul Kraushaar; Special Music and Lyrics, Jule Styne, Eddie Cherkose; Wardrobe, Adele Palmer.

DIRECTION, Solid. PHOTOGRAPHY, Fine.

HOLLYWOOD SPEAKING--

By RALPH WILK

HOLLYWOOD

HAVING completed the direction of "Kitty Foyle," for RKO, with Ginger Rogers heading the cast, Sam Wood will concentrate on editing the production, so as to enable him to enjoy a vacation in Honolulu before beginning preparatory work on "The Devil and Miss Jones," starring Jean Arthur.

THERE can hardly be said to be much rivalry between radio and the movies, judging from the way radio executives are wooing and winning screen stars. Tom McAvity is the latest either executive to marry a cinema adorable, his bride being Helen Mack. Charleston W. Alsop, an air-lane producer, recently married Martha Scott, while Tom Lewis is married to Loretta Young. Clark Andrews, who was a radio producer, but who is now writing at 27th Century-Fox, is the husband of Claire Trevor.

CHARLIE RUGGLES is developing a new sport, which is a combination of the Mexican game Jai Lai and the American sport, handball. Ruggles used a scoop similar to that used in Jai Lai, but the court is smaller and the ball used is a handball. Ruggles is a handball expert.

SINCE appearing in "A Guy, A Girl and a Gob," Harold Lloyd's production for RKO, George Murphy has learned all about the naval uniform. He knows the answers to why there are 13 buttons on the pants, why the stripes on the collar of the middie and he can tie the proper knot in the tie. He can also fold his uniform so it doesn't have to be pressed.

CLARENCE BROWN, who is directing "Come Live With Me," at M-G-M, sent a camera crew to San Fernando valley to shoot scenes showing the terrific building activity out there. On Hollywood Way alone, they shot one sequence showing 15 houses in a row under construction. The film demonstrates the contrast between American construction and European destruction.

METRO has made a national tie-up with the Ideal Novelty Manufacturing Co., giving it the right to produce and sell a Judy Garland doll. First promotion under this co-operative arrangement is in conjunction with "Little Nellie Kelly."

THERE'S gossip that Winnie Sheehan is heading for a top spot in one of the majors.

ORSON WELLES has returned from a soaking tour of two weeks, during which he filled eight engagements and spoke to more than 40,000 people. He covered 11,400 miles by air during the junket.

JACK DORRANCE, former stage manager and juvenile character comedian on the Al Pearce show, has been signed for a part in "A Girl, A Guy and a Gob," initial Harold Lloyd production for RKO Radio, in which George Murphy, Lucille Ball and Edmond O'Brien are co-featured.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 99

NEW YORK, TUESDAY, NOVEMBER 19, 1940

TEN CENTS

EASE DECREE'S SELLING STRAIN—MYERS

Warner Sales Drive Honors Sears, Opens Dec. 22

Marks Sales Chief's 20th Year With Company; Cash Awards to Total \$25,000

Warners' sales drive, set to start on Dec. 22 and extend a record 17 weeks through April 19, will have "20th Year for Sears" as its slogan, and \$25,000 in cash awards, the home office said yesterday.

Slogan is a tribute to Grad L. Sears, general sales manager, who rounds out 20 years with Warners next month. He started as First National salesman in Chicago on Dec. 6.

(Continued on Page 3)

Changing Canadian Clearance Setup?

Toronto—Film Section of the Toronto Board of Trade will meet here today to consider recommendations by the special committee on clearance reforms. The committee, at the suggestion of the Film Section, has re-examined the entire matter of establishing the proposed National Clearance Board.

It is predicted the committee will recommend a compromise plan; will ask that the distributor interests

(Continued on Page 3)

F. M. as Sound For Pix In Tele, Hughes' Plan

Washington Bureau of THE FILM DAILY

Washington—Howard Hughes proposes to try radio's frequency modulation for sound accompanying pictures, the FCC disclosed with the granting of two licenses for con-

(Continued on Page 6)

Secondary Picketing OK—Supreme Court

Washington Bur., THE FILM DAILY
Washington—Federal courts are with-out power to enjoin unions from picketing third parties in a labor dispute even though alleged violations of the Sherman Act are involved, the U. S. Supreme Court ruled yesterday in a decision of marked interest to the exhibition field. In effect, the decision okay's secondary picketing. Case was a Chicago non-theatrical one.

Goddard, Jackson's Aides to Confer Today; Speculate on Possible Decree Modification

A meeting between Federal Judge Henry W. Goddard and James Hayes and Robert Sher, special assistants to Attorney General Robert Jackson, is scheduled for this afternoon in the judge's chambers. While the purpose of the session is not known, it is believed by some to have an important bearing on the status of the consent decree.

The possibility that Judge Goddard will hand over the signed and approved document to the Government was advanced by some sources. Others, however, believed that a revision of the decree was in prospect, possibly to meet at least some of the objections voiced by exhibitors at last week's hearing.

Washington Bureau of THE FILM DAILY

Washington—Department of Justice officials last night refused to comment on the scheduled conference to be held in New York today with Federal Judge Henry W. Goddard. Beyond the mere statement that the subjects to be talked over were "of a confidential nature," Justice Dept. officials would not give any indication of the specific phases of the conference.

However, it is believed that there have been further developments with regard to the consent decree and the New York visit of the Washington officials would seem to indicate a round table discussion of the entire situation.

Farnol Leaves UA To Open Own Office

West Coast Bureau of THE FILM DAILY
Hollywood—Murray Silverstone yesterday announced that Lynn Farnol has resigned as United Artists advertising and publicity director.

(Continued on Page 3)

Sam M. Flax Drops Dead; Washington Rites Today

Funeral services for Sam M. Flax, 53, Republic franchise holder in Washington with his brother Jake E. Flax, will be held at 1:30 p.m. today

(Continued on Page 3)

La Crosse Trust Suit Settlement Expected

Madison, Wis.—Possibility of a settlement in the \$1,472,000 damage action of the La Crosse Theaters Co. against Paramount, United Artists, 20th Century-Fox, Minnesota Amuse-

(Continued on Page 6)

Expect \$400,000 "Dictator" Gross at Capitol in 6 Wks.

Charles Chaplin's "The Great Dictator" is tentatively scheduled to leave the Capitol, Broadway, on Nov. 27, thereby ending a six-week en-

(Continued on Page 3)

Fires Bring Ia. Code Demand Aimed at Poorly Constructed Theaters

Ten IATSE Studio Locals Ask Wage-Hours Parley

West Coast Bureau of THE FILM DAILY

Hollywood—Ten IATSE studio locals representing 10,000 film workers called upon producers for the immediate opening of negotiations on wages, hours and working conditions.

Des Moines, Ia.—A State Fire Code which would include separate provisions covering theater houses will be sought at the 1941 Iowa Legislature, State Fire Marshal John Strohm announced yesterday.

The fire marshal pointed out a lack of present statutes covering theaters and cited the fact that at least six theaters have had serious

(Continued on Page 6)

Hopes Distribs. Will Have 75-125 Pix Ready Sept. 1; Sees Appeal Board Flaw

If the consent decree in the New York equity suit is signed by Federal Judge Henry W. Goddard, Allied hopes that the distributors "will bend every effort to ease the strain of the new selling system as much as possible."

In a general bulletin made public yesterday, Abram F. Myers, general counsel, pointed out that one way in which the distributors can be helpful would be to make available as many trade shown pictures as pos-

(Continued on Page 6)

Average Arbitration Cost May be \$50-\$75

While the cost of arbitrating a dispute can run up as high as \$375, it is estimated by reliable sources that the average expense will be between \$50 and \$75 under the proposed arbitration system as stipulated in the consent decree.

Previous estimates, it was learned

(Continued on Page 6)

Theater Accessories Belong To Exhib., Test Case Ruling

An exhibitor and not the landlord of a theater owns motion picture accessories such as seat covers, marquee letters and projection inter-

(Continued on Page 3)

Two Free Television Theaters for N. Y. C.

Two free television theaters for New York City are in prospect as a result of the action of the FCC in granting a station license to Metropolitan Television, Inc., associated with Bloomingdale's and Abraham & Straus department stores.

Station is authorized to operate on Channel No. 8 (162,000-168,000 kilocycles), one kilowatt aural and visual power, to develop program techniques for determining public taste, including use of two tele theaters where programs will be projected daily for free public showing.

THE FILM DAILY

Vol. 78, No. 99 Tues., Nov. 19, 1940 10 Cents

JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Will, 640 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Friedman, The Film Renter, 127-133 Wardour St., W. 1. PARIS—P. A. Harle, La Cinematographie Francaise, 29 Rue Marignan (12). MEXICO CITY—Marco Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Monday, Nov. 18)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	9 1/2	9 1/2	9 1/2	- 1/2
Col. Pict. vtc. (2 1/2 %)	5 3/8	5 3/8	5 3/8	- 1/2
Indiana Pict. pfd.	3 1/4	3 1/4	3 1/4	- 1/2
Con. Fm. Ind. pfd.	9	8 7/8	8 7/8	- 1/2
East. Kodak	143 1/2	143	143 1/2	+ 1 1/2
do pfd.	11 1/2	11 1/4	11 1/4	+ 3/8
Gen. Tr. Eq.	29	28 3/4	29	+ 1/8
Loew's, Inc.	8 7/8	8 5/8	8 3/4	+ 3/8
do pfd.	94 3/4	94 1/4	94 3/4	+ 3/8
Paramount 1st pfd.	10 1/2	10 1/2	10 1/2	+ 1/8
Paramount 2nd pfd.	10 1/2	10 1/2	10 1/2	+ 1/8
Pathe Film	2 3/4	2 3/4	2 3/4	- 1/8
RKO	5 7/8	5 7/8	5 7/8	- 1/8
20th Century-Fox pfd.	97	96 1/2	96 1/2	- 1/2
Univ. Pict. pfd.	3	2 7/8	2 7/8	- 1/2
do pfd.	96 1/2	96 1/2	96 1/2	- 1/2

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4	102 3/4	102 3/4	102 3/4	- 1/4
Loew's deb. 3 1/2 %	104	104	104	- 1/8
Para. B'way 5 1/2 %	48 1/2	48 1/2	48 1/2	- 1 1/8
Para. Pict. 6 1/2 %	94	94	94	- 1/2
Para. Pict. cv. 3 1/4 %	94	94	94	- 1/2
Warner Bros. deb. 6 1/2 %	90	90	90	+ 1

NEW YORK CURB MARKET

Monogram Pict.	9-16	9-16	9-16	-1-16
Sonotone Corp.				
Technicolor	9 5/8	9 1/2	9 1/2	+ 1/8
Trans-Lux				
Universal Corp. vtc.				
Universal Pict.				

Para. Names Jay Haas

Chicago — Jay Haas has been named director of exploiters at the Paramount exchange here.



GENERAL FILM LIBRARY, INC.

WORLD'S LARGEST STOCK SHOT LIBRARY
OVER 70 MILLION FEET OF INDEXED NEGATIVES IN STOCK
1500 BROADWAY, N.Y.C.
Circle 6-0081-2, N.Y.C.

100 at Duffy Farewell: Given Traveling Bags

Albany — Nearly a hundred exhibs. and exchangers gathered at the DeWitt Clinton Hotel yesterday to pay honor to Fred Duffy, veteran Republic salesman who has retired due to ill health. Duffy, former Utica exhib, himself, was presented with traveling bags. Every manager, salesman, and booker on film row attended.

Utica exhib. contingent included Larry Carkey, Harry Savett, J. B. Hall, Morris Schulman, Barney Pearlman. Others coming on were Harvey English, English circuit, Hancock; Kingsley Ryan, Ausable, Ausable Forks; Frank Weiting, Park, Colbesskill; Clarence Dopp, Johnson; George Thornton, Saugerties; Mitchell Conery, Ravena; Vic Buntz, Waterford.

Committee consisted of George Tucker, RKO salesman, as toastmaster; Dick Hayes, Paramount, and Gene Lowe, Duffy's successor, Republic.

"Tin Pan Alley" Receives Code Seal: 46 Feet Cut

Code seal was issued yesterday by the Hays office to 20th-Fox for "Tin Pan Alley," with a deletion of 46 feet made in the picture. Seal had been originally refused on the Coast by Joseph I. Breen, production code administrator. Will H. Hays and other MPPDA officials looked at the picture here last week before the seal was issued.

Theater Stock and Bond Prices Improve In Chi.

Chicago — Theater stock and bond market prices are improving here. Latest quotations show Balaban & Katz common stock, at bid 52, but none offered. All B & K preferred stock was called last Spring. United Artists' 4's-1948 bonds, have a bid of 50, with very few offerings, according to the dealers, while Schoensted Theater 6's-1950 are bid 81 and offerings few.

Kinsler Leaving Warners To Operate Shard Houses

Cincinnati — Ralph Kinsler, branch manager for Warners here, has resigned to manage the local Monte Vista and Reading theaters, for the Shard interests. Elmer Shard, operator of the houses, died recently.

To Poll 150 Book Critics On "Bell Tolls" Players

West Coast Bureau of THE FILM DAILY
Hollywood — Paramount will poll 150 leading book critics of the United States and Canada to learn what players should play the principal roles in Ernest Hemingway's "For Whom the Bell Tolls."

No Paper Thursday

In observance of Thanksgiving Day, a legal holiday in New York State, no edition of THE FILM DAILY will be published Thursday, Nov. 21.

William Goldman Takes Philadelphia's Erlanger

Philadelphia — William Goldman, circuit operator, takes over the 2,000-seat Erlanger theater here under long-term lease from the Pennsylvania Company, trustees under the first mortgage issue. Terms were not disclosed.

House, built for legit, in 1927, was leased in 1929 by RKO but went back to legit, in 1932. It has been dark thus far this season, but reopens Monday with the U of P Mask and Wig Club production.

Policy which Goldman will follow is unknown. Trade here believes that the lessee feels first-run product will become available under the new consent decree plan of selling.

20th-Fox Pays \$200,000 Plus for "Tobacco Road"

Contract for the purchase of the motion picture rights to "Tobacco Road" has been signed by 20th-Fox. Picture is now being prepared for shooting, with Nunnally Johnson working on the script. Signing of the contract with Jack Kirkland followed lengthy negotiations. Figure around \$200,000, with further payments on a royalty basis, was reportedly paid for the stage play.

Philly Variety Club Honors Dr. Leon Levy

Philadelphia — Dr. Leon Levy, WCAU executive, was today elected chief barker of the Variety Club for 1941. Other officers are Earle Sweigert, first assistant chief barker; Hillary Brown, second assistant; Bill MacAvoy, treasurer; John Monroe, secretary; Harry Ball, fixer; Harry Friedman, house chairman. Ray O'Rourke and MacAvoy are delegates to the national convention, with Sweigert a national director.

New York Censors Adopt More Liberal Pix Policy?

Albany — Action of the New York State Board of Censors in finally okaying revised versions of "Ecsstasy" and "Pools of Desire" for exhibition in the State is interpreted here as a Board trend towards liberalization.

Mix Estate Below \$115,000?

West Coast Bureau of THE FILM DAILY
Hollywood — Estate left by Tom Mix killed in a motor crash, is estimated at \$115,000 instead of an anticipated 1,000,000, and may be reduced about 50 per cent by obligations, according to Mix's counsel.

COMING and GOING

BARNEY BALABAN, STANTON GRIFFIS and NEIL AGNEW returned yesterday from Para. Coast conferences.

CHARLES E. MCCARTHY, director of advertising and publicity for 20th-Fox, arrives in New York this morning from the Coast by plane.

F. J. A. MCCARTHY, Eastern division manager for Universal, left New York last night for Nashville and will also visit Atlanta before returning to the home office.

HARRY GOLD, vice-president and Eastern sales manager for United Artists, is in New Orleans.

LYNN FARNOL returned yesterday from the Coast.

GROUCHO MARX leaves the Coast the latter part of the week by car for New York.

BETTY GRABLE has returned to the Coast.

GENE TIERNEY leaves tonight for Hollywood after a short vacation.

JOSEPH LUCACHEVITCH, French producer, leaves for Hollywood today by plane.

VIRGINIA O'BRIEN, singer, leaves shortly to join the Luella Parsons troupe in Cleveland.

FRITZ MANDL has sailed for South America.

BUDDY DE SYLVA has arrived on the Coast.

ALFRED KNOPF has arrived in Hollywood for a visit.

HARRY LAMONT, indie exhib. who is opening a new theater in Hudson, has returned from an equipment-purchasing trip to New York.

BARNEY KRANZ, RKO branch manager in Albany, has returned from New York where he called on the Fabian and Reade circuits in regard to product deals.

VAN NOMICOS is here from Chicago.

HARRY M. BESSEY, secretary-treasurer of Altec Service Corp., has returned to New York from a business trip to Kansas City.

WALTER BRANSON, Midwestern district manager for RKO Radio with headquarters at Chicago, is in New York City.

STEVE BROIDY, Monogram Boston franchise holder, planned to the Coast.

LEO SPITZ of Spitz & Adcock, is on the West Coast on a combined vacation and business trip.

PAUL RAIBOURNE left the Coast yesterday for New York.

Warners Boost "Letter" Ad Budget \$100,000

West Coast Bureau of THE FILM DAILY
Hollywood — Warners have upped advertising exploitation on "The Letter" an additional \$100,000, according to S. Charles Einfeld, director of advertising and exploitation. Money will be spent mostly in newspapers, with the whole campaign tying up the Academy Award winning aspects of the performances of Bette Davis and James Stephenson and the direction of William Wyler.



"Happy Birthday to You"

From THE FILM DAILY to Nancy Carroll, Wallace Sullivan, William Massee, Ralph Gervais, Louis Graf

Warner Sales Drive To Honor Grad Sears

(Continued from Page 1)

1920, and subsequently served as branch and division manager prior to his appointment as sales chief in 1937 and election as Vitagraph prexy in 1938.

New method of determining drive winners has been devised by Sears and his assistant, Carl Leserman. First 12 weeks will comprise the qualifying period. All of the 37 branches in the U. S. and Canada which have maintained or exceeded their respective quotas after 12 weeks, will qualify to participate in the final round. That will comprise the last five weeks of the drive, during which time the surviving offices will compete on overall performances of the entire 17 weeks for the \$25,000 in cash awards. Cash awards will also be given the district managers who have the largest number of branches above quota.

Branches qualifying for the final five weeks competition will be split up into two teams, one of which will be captained by Ben Kalmenson, Western and Southern sales manager and the other by Roy Haines, Eastern and Canadian sales manager, for the remainder of the drive period.

AGVA, in Reorg. Move, Names New Exec. Com.

In a sweeping reorganization move, the national board of AGVA met yesterday and dismissed the national executive committee, appointed a new executive committee and vested in it all the powers of the old national board and the right to conduct all business affairs of the union locally and nationally. This move stripped the national board of all power, although it still remains in existence.

Reason for the move was said to have been internal disputes in the organization which had hindered organizational work and the ordinary business of the union to a serious degree during the past few months.

New committee is comprised of Edward Arnold, Frank Gillmore, Paul Dullzell, Ruth Richmond, Blanche Witherspoon, Helen Sanford, Willie Bryant, Dewey Barton, Henry Dunn and Dave Apollon, with all of the AAAA unions represented on the committee.

"Blanket Matinees" Aid British Homeless

Oklahoma City—Oklahoma theaters operated by the Griffith Amusement Co. are holding "blanket matinees" to help Oklahoma reach the goal of 5,000 blankets for families made homeless in Great Britain's air raids. Blankets, old or new, will be the admission price for the matinees.



● ● ● STUFF:.....From Cincy comes word that Dave Miller, Universal's Mid-East division mgr., is to be honored via a testimonial dinner Nov. 30 at the Hollenden Hotel, Cleveland, in recognition of his 20th anniversary with Universal. Ernest Truex will be Collie at the annual Lambs Gambol to be held at the Waldorf-Astoria on Dec. 31. Joe Goetz, prexy of the Cincinnati Bookers Club, entertained with a tie and box shower for Bud Weigel of M-G-M at the Goetz domicile (Bud is to be married this month).....Tother day we penned both the Paramount Pep Club Choral Singers and plumb forgot to mention Agnes F. Mengel's name (She's the chairman o' the whole shootin' match and it's like leavin' Babe Ruth out of the ole Yankee lineup when that gent was on his record home run rampage).....December issue of Esquire has following to say about Louis Nizer in commenting upon his book, "Thinking On Your Feet": "Next to Franklin D. Roosevelt, Mr. Nizer is probably possessed of the most magnetic speaking charm extant"—which is some compliment from the conservative Esquire!

● ● ● MORE STUFF:.....A. Joseph DeFiore, manager of the Park Theater, Wilmington, Del., has been appointed a member of the press and public relations division of the State Council for National Defense and promptly wired Governor Richard C. McMullen that he'd accept the post. Keyes Perrin, whose dad (Oscar Perrin) has been associated with St. Fabian's circuit, for many years, has joined General Electric's Station W2XOY in Schenectady. Irving Berlin, who holds the world's record for composing and publishing more pop tunes than any other living person, will be inducted as a "fall guy" by Dexter Fellows Tent, Circuit Saints and Sinners Club of America, at a luncheon to be held in the Hotel Astor's grand ballroom on Nov. 27 at noon. Leo Films, Inc., announces that the pic "Mayerling to Sarajevo" has been booked by the Little Theater, Baltimore, Md., to follow "The Baker's Wife".....

Expect \$400,000 "Dictator" Gross at Capitol in 6 Wks.

(Continued from Page 1)

agement. However, there is a possibility that it will be held over another week.

It is estimated that the picture will have grossed approximately \$400,000 by the end of the sixth week at the Capitol where it will have played to slightly less than a million patrons. M-G-M's "Third Finger, Left Hand" is slated to open there on Nov. 28, if the Chaplin picture is not held over.

"The Great Dictator" will continue at the Astor.

Cleveland—"The Great Dictator," doing four times the average business in its second week at Loew's Stillman, is being held a third week with all indications pointing to a fourth week.

NWMP to Stay At Least Four

Para's NWMP will go a minimum of four weeks at the N. Y. Paramount.

Sam M. Flax Drops Dead: Washington Rites Today

(Continued from Page 1)

in Danzansky Funeral Parlors at the capital. Flax dropped dead Sunday while attending the Redskins-Bears pro. football game in Griffith Park.

Republic will be represented at the services by G. C. Schaefer, vice-prexy and treasurer, in the absence of Herbert J. Yates and James Grainger, in Chicago for a sales meeting today.

Flax attended the Eastern sales meeting of Republic here last week and was seemingly in excellent health.

In addition to his brother, he leaves a widow, two sons and two sisters.

John R. Levison Dead

West Coast Bureau of THE FILM DAILY

Hollywood—John Robert Levison, art director, is dead here. Before coming to Hollywood, he was associated with Paramount at Astoria, L. I.

Changing Canadian Clearance Setup!

(Continued from Page 1)

have representation (originally not provided for) in addition to the chain and independent interests on the National Board; and will bring forward a plan, probably, for the establishment of an experimental clearance board in Ontario, to be followed by formation of other regional boards in the other provinces, the Ontario board to act as National Appeal Board when so invoked by a regional board.

Theater Accessories Belong To Exhib., Test Case Ruling

(Continued from Page 1)

mittens, the Appellate Division of the Brooklyn Supreme Court ruled yesterday in a test case. Under the Court decision, Cordell Theaters, Inc., Max Cohen, and Louis Goidel, defendants in a suit brought by Avanta Realty Corp., rightfully removed these fixtures when transferring from the theater to a new house. The Court reversed a decision which held the defendants guilty of contempt in removing property which the landlord claimed was his as part of the realty.

Louis Nizer, attorney for the defendants, successfully argued that the exhibitor had the right to remove the property since it was personal and not part of the building itself.

Lynn Farnol Leaves UA; Will Open Own Office

(Continued from Page 1)

Farnol will continue with the company until Jan. 1. He plans to open an office to handle a new type of personalized exploitation and publicity without the burden and routine of a large department and organization.

United Artists during the fiscal year of 1940 has shown a profit of more than \$500,000, it was learned on the eve of the company's annual stockholders' meeting.

Dudelsons Hurt In Crash

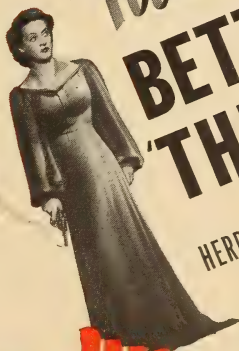
Cincinnati—Harris Dudelson, manager of UA's exchange and his wife were badly bruised, although both escaped serious injury, when their car was demolished after being rammed.

\$222,218 'Take' Sets Cincy Monthly Mark

Cincinnati—Bingo receipts last month hit a new high in this city, according to police monthly report, issued by Chief Weatherly. Statistics for October showed paid admissions of \$222,218.29 at 253 Bingo parties, which paid out \$54,246.98 in prizes, leaving a net profit of \$167,971.31 for the sponsors. This does not include soft drinks, lunches and beer receipts. Practically all sponsors serve these additionally, including the churches.

HOLIDAY

Thanksgiving
BETTE DAVIS
in
'THE LETTER'



By W. SOMERSET MAUGHAM with
HERBERT MARSHALL · JAMES STEPHENSON
Frieda Inescort · Gale Sondergaard
Screen Play by Howard Koch · Music by Max Steiner
A WM. WYLER Production



is WARPING

Time



Xmas
ERROL FLYNN
AVIA de HAVILLAND
 in
SANTA FE TRAIL
 with
RAYMOND MASSEY · RONALD REAGAN · ALAN HALE
 Wm. Lundigan · Van Heflin · Gene Reynolds
 Henry O'Neill · Guinn 'Big Boy' Williams
 Screen Play by Robt. Buckner · Music by Max Steiner
 Directed by **MICHAEL CURTIZ**

New Year
'FOUR MOTHERS'
 Starring the 'Four Daughters'
PRISCILLA LANE · ROSEMARY LANE
LOLA LANE · GALE PAGE
 with
CLAUDE RAINS · JEFFREY LYNN · EDDIE ALBERT
 May Robson · Frank McHugh · Dick Foran
 Original Screen Play by Stephen Morehouse Avery
 Suggested by the Book, "Sister Act," by Fannie Hurst
 Directed by **WILLIAM KEIGHLEY**



Time!

Ease Selling Strain Of Decree—Myers

(Continued from Page 1)

sible at the beginning of the next selling season.

"An announcement," Myers wrote, "by each of the five centing distributors that it will have three to five groups ready to offer the exhibitors on Sept. 1 will clear the atmosphere."

For the first time in many years, Myers said, the exhibitors presented a solid front at the hearings last Thursday before Judge Goddard. Such solidarity, he continued, on other major issues would infinitely strengthen the position and improve the lot of the exhibitors of the country.

"Judge Goddard heard the exhibitors fully if not sympathetically," Myers contended. "As a result, he can not entertain any illusion that the decree submitted to him is acceptable to the exhibitors or will cure all the ills of the industry."

Caution in selecting men for the appeal board also was advocated by Myers, who asserted that it was a "serious oversight that the decree does not prescribe the same qualifications for members of that board that it does for the arbitrators. Purely political appointments or the appointment of persons formerly connected with any branch of the industry, or of persons active in the formulation of the decree would tend to discredit the arbitration system before it can be given a chance."

Average Arbitration Cost May be \$50 to \$75

(Continued from Page 1)

yesterday, have been calculated on the assumption that a complainant would be represented by an attorney, but it is reported that the majority of cases heard by the American Arbitration Association are held without counsel, thereby reducing the expense.

Other estimates also figured the maximum fee for arbitrators, or \$50 a day, which would be true only in very rare cases. A case costing \$300 would be "unusual," it was said.

Film Drafts May Continue Their Pix Work

West Coast Bureau of THE FILM DAILY

Hollywood—Motion picture draftsmen may be given opportunities of continuing their film work in the Army under a plan being discussed between the Signal Corps and Industries Production Defense Committee, with the Corps enlarging its motion picture facilities.

A number of film draftsmen, in special cases of qualifications, may be assigned to Army film activities if the Army so decides.

Schenck Again Aids Polio Fund Campaign

Joseph M. Schenck, 20th-Fox board chairman, will again serve as vice-chairman of the Committee for the Celebration of the President's Birthday.



JOSEPH M. SCHENCK
Own Corner." One-half the funds raised will be used for local aid to paralytic sufferers; the other half in the fields of research and education.

It was announced yesterday by Keith Morgan, national chairman. Grantland Rice again will serve as chairman of the Sports Council and Eddie Cantor as chairman of the "March of Dimes" on the air.

The slogan for this year's drive will be "Help the Youngster Around Your Own Corner."

LaCrosse Trust Suit Settlement Is Expected

(Continued from Page 1)

ment Co. and the Welworth Theaters Co., was seen as the result of an announcement that the trial, which started in U. S. district court here late in October, has been adjourned until after Jan. 1.

The La Crosse company charged the plaintiffs with engaging in monopolistic actions and with refusal to furnish it with class A product for its houses. It maintained that the producing companies asked higher prices for their product after Welworth had established two new houses in the city.

Only a portion of the testimony of witnesses was presented to the court during the trial which lasted less than a week before it was ordered adjourned by Circuit Judge Patrick T. Stone. Robert A. Hess, Milwaukee, counsel for the plaintiff, whose illness caused temporary postponement of the trial, has recovered.

Morros to Tour Country With "2nd Chorus" Print

West Coast Bureau of THE FILM DAILY

Hollywood—Boris Morros, independent producer, leaves Hollywood Thursday to tour the country with a print of "Second Chorus" which Paramount will distribute. He will visit New York, Boston, Toronto, Montreal, Charlotte, Atlanta, New Orleans, Memphis and Dallas where he will trade preview the film and address meetings of Paramount salesmen in each city.

Legion's "B" and "C" Pix Facing Ky. IFCA Boycott

Louisville—A resolution providing that members of the Kentucky Chapter, International Federation of Catholic Alumnae, refrain from attending movies graded "B" or "C" by the Legion of Decency was adopted at the final session of the organization's convention here.

F. M. as Sound for Pix In Tele, Hughes' Plan

(Continued from Page 1)

struction permits for Coast tele stations to the Hughes Production Division of the Hughes Tool Co. Stations will be erected in Hollywood and San Francisco, and Hughes' program calls for an expenditure of \$2,000,000.

In addition to his experiments with the wedding of F. M. and films, Hughes will study lighting effects, and seek improvement of tele transmitters and cameras.

In both cities, the Hughes stations will operate on Channel No. 2 (60,000-66,000 kilocycles) with 10 kilowatts aural and visual power.

Commission also gave a license to Television Productions, Inc., a subsidiary of Paramount Pictures, to operate a television relay station on channels Nos. 13 and 14 (234,000-240,000; 240,000-246,000 kilocycles), 250 watts visual power, to supplement Television Broadcast Station W6XYZ, also in Los Angeles.

West Coast Bureau of THE FILM DAILY

Hollywood—When questioned regarding whether Paramount has any new plans concerning television, Paul Raibourne, in charge of Para.'s tele activities, said, "There is nothing to talk about." He was here attending sessions with Paramount home office, theater and studio representatives and left yesterday for New York.

Board of Review Scores "Ineptitude" of Censors

"Ineptitude and lack of discernment of politically motivated and incompetent State boards of motion picture censorship" were deplored by the National Board of Review, in a conference resolution adopted prior to adjournment.

The Conference resolution singled out the action of the Pennsylvania Board of Censors in suppressing the M of T's "The Ramparts We Watch" "unwisely and without adequate public explanation" for direct criticism, and said this "arbitrary and bureaucratic" move was "characteristic of the procedure of such State boards."

Other resolutions urged films stressing the "social behavior and idealism of our youth," endorsed pix pertaining to "the field of historical Americans," expressed satisfaction with industry co-op in the program of inter-American cultural relations and reaffirmed its "continued and downright support of a fresh screen, and an untrammelled co-operative industry, enabled to break new ground and reach new achievements."

Stahl Sells to Long Circuit

Carizzo Springs, Tex.—The Texas Theater, owned and operated by John Stahl for nine years, has been sold to J. G. Long of Bay City, owner of a South Texas circuit. J. W. Chandler, manager, for Stahl, will be retained. Stahl is going into farm implement business.

Fires Bring Demand For Iowa State Code

(Continued from Page 1)

fires so far this year as cause for more drastic laws.

Strohm said he was contacting various officials of the theater groups to work out planned legislation which he will present to the legislature. Under present plans the state code sought will be drafted after the model code prepared by the national fire board.

The fire marshal said the particular action was aimed more at the poorly-constructed houses which are found in some of the smaller communities. He stressed that little fault could be found with the more modern theaters. One of the most commonly found fire hazards, he said, was the lack of projection rooms in some of the houses or flimsy constructed booths.

Ark. ITO Hears Talks By Richey and Finney

Little Rock, Ark.—More than 100 exhibitors and film representatives attended the semi-annual convention of the Arkansas ITO here yesterday. H. M. Richey, director of public relations for M-G-M, was the principal speaker. He urged closer co-operation between exhibitor and distributor. Richey also stated that M-G-M will spend \$2,500,000 this year in re-selling its pictures to the public.

Edward Finney, in charge of production of Tex Ritter westerns for Monogram, spoke briefly explaining new phases of coming westerns.

O. G. Wren of Little Rock is president of the Arkansas ITO. K. K. King of Searcy is secretary, and W. E. Malin of Augusta is vice-president.

Cheap Seats for Sunday Legit. Urged by Equity

Actors' Equity, via an editorial in the current Equity magazine, warns Broadway producers that if the Sunday show experiment is to be a success, cheap seats must be provided to lure film patrons—"the crowds for which they are competing." Equity also warns that these patrons paying \$1-\$1.50 must get attention and made to feel welcome.

Offer Rudy Vallee Lead In Towne-Baker Film

West Coast Bureau of THE FILM DAILY

Hollywood—Rudy Vallee has been offered the male lead in Towne and Baker's forthcoming, "How To Meet a Man" which goes before the camera Dec. 15. It is a straight comedy-drama role. Deal is awaiting the return of George J. Schaefer, president of RKO, for consummation.

WE'LL BET TEN TO ONE
that
You Will Have the Time of Your Life on the Occasion of
THE TWENTY-FIRST ANNUAL CHARITY
Dinner and Dance
of
MOTION PICTURE ASSOCIATES
at
HOTEL ASTOR

Wednesday Evening (Thanksgiving Eve)

NOVEMBER 20th, 1940

HERE ARE SOME DEFINITE REASONS WHY YOU CANNOT AFFORD
TO MISS THIS AFFAIR—ENTIRE PROCEEDS TO MOTION PICTURE
ASSOCIATES CHARITY FUND

1. Music by Bob Chester and his Famous Orchestra
2. Havana Rhumba Band—direct from Havana
3. Radio Rogues—(Stars of Hellzapoppin)
4. Henny Youngman (Master of Ceremonies)
5. Ben Yost Varsity Eight (Now appearing at Roxy Theatre)
6. Jeanette Hackett Girls (Nine glamorous girls direct from World's Fair)

—AND BOY OH BOY WHAT A DINNER—

TICKETS \$7.50 PER PERSON

Make Reservations NOW with
MR. IRVING LANDES
345 West 44th Street,
c/o TWENTIETH CENTURY FOX,
New York City

Make Checks Payable to MOTION PICTURE ASSOCIATES

SMASH DELAYS ^A_D SPEED ACTION

BY USING POSTAL TELEGRAMS!

 **WHEN PEOPLE ARE "TOO BUSY,"** remember this:
A Postal Telegram is not kept waiting in an outer office. Postal
messengers are trained to get a *signed receipt!*

 **WHEN A DEAL'S ALMOST CLOSED,** speed last-min-
ute, important facts via Postal Telegraph. You can be sure they
will be transmitted *accurately!*

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concerned by Postal Telegraph. It costs surprisingly little, thanks
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 **WHENEVER SPEED IS ESSENTIAL,** count on the
nation-wide Postal Telegraph system—for helpful, personal
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PHONE _



Postal Telegraph

"First When Seconds Count!"

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 100

NEW YORK, WEDNESDAY, NOVEMBER 20, 1940

TEN CENTS

NEW ARGENTINE RESTRICTIONS PROPOSED Minor Changes in Arbitration Rules Likely

Judge Goddard Doubts Effectiveness of Parts Of Arbitration Setup

Conference was held yesterday between Federal Judge Henry W. Goddard and Special Assistant Attorney General Robert Sher and several attorneys representing the five major negotiating companies.

Conferees discussed a number of changes in the rules of arbitration, it is understood, after Judge Goddard expressed doubts as to the clarity and effectiveness of certain of the rules.

Government attorneys later stated
(Continued on Page 7)

Protests Kill Film Regulation Board

Pittsburgh—IATSE-backed ordinance for the establishment of a Film Regulation Board is dead, killed by the storm of protests from educational, medical, civic and industrial fields. Ordinance, proposed by L. J. Katz, IATSE international rep., was withdrawn on the eve of a scheduled councilmanic hearing today.

Board of two would have been set
(Continued on Page 7)

100% Holdovers Registered By Para. NWMP.—Agnew

Big business reported by Paramount on "North West Mounted Police" at advanced admission prices has resulted in extended playing time and holdover engagements in all instances, Neil Agnew, general sales manager, announced yesterday.

Above average business in its
(Continued on Page 6)

Scully Calls "U" Meet

William A. Scully, vice-president and general sales manager of Universal, has called a district managers meeting for this Saturday and Sunday in New York, with district managers from all over the country and the home office staff and sales force to attend. Meeting will be held at the Astor.

GREENTHAL TO BE UA AD HEAD

Succeeds Farnol, Resigned, On
First of Year

Monroe Greenthal yesterday was named director of advertising and publicity for United Artists, effective Jan. 1.

Announcement of the appointment was made by Arthur W. Kelly, vice-president in charge of distribution, following the resignation of Lynn Farnol whom Greenthal will succeed.

Greenthal has been with UA continuously for
(Continued on Page 7)

Seventh in Syracuse For RKO-Schine Pool

Syracuse, N. Y.—Deal which will add the Empire theater, now dark, to the RKO Schine pool here is reported in the closing stage. Pool now embraces six houses, four downtown and two nabes. Empire, built

(Continued on Page 7)

Wright as Decree Watchdog? May Head Special Unit of Justice Dept.

Strand One of First Two Theaters to Get Vitasound

West Coast Bureau of THE FILM DAILY
Hollywood—First two theaters in the United States to be modernized for projection of Vitasound will be the Strand, New York, and the Hollywood Theater, Hollywood. "Four
(Continued on Page 6)

Establishment of Import Quotas for American Films And Provision for Auction Sale of Dollar Exchange To Highest Bidder Hold Threats to U. S. Distribs.

By DR. W. P. SCHUCK

FILM DAILY Staff Correspondent

Buenos Aires (By Air Mail)—Further drastic import restrictions for American products, especially motion picture films, are urged in a Government memorandum. Under the plan, published

Boston Police Ban All Theater Games

By FLOYD L. BELL

FILM DAILY Staff Correspondent

Boston—Interpreting a decision of the Massachusetts Superior Court outlawing so-called "Lucky Nights" in Boston theaters, and it is presumed in all Massachusetts theaters, as applying to all games of chance, the Boston Police Department ordered all such games stopped at once.

Bank Night, however, may not be affected by the order since that
(Continued on Page 6)

AGMA is Denied Writ In Its A F of M Dispute

New York Supreme Court Justice Aron Steuer yesterday refused to issue a temporary injunction to restrain the American Federation of Musicians from barring members of the American Guild of Musical Artists from the screen, stage and air.

The Court refused to dismiss the
(Continued on Page 6)

under the authority of Dr. Pinedo, Minister of Finance, film imports not only would be curtailed but also would become more expensive as the limited amount of dollar exchange available would be sold at auction to the highest bidder.

Senator Matias Sorondo of Buenos Aires is reported to be in favor of stringent import quotas for American films and he is supported by the minority within the Argentine Film Producers Association. The majority, headed by Clemente Lococo and Joaquin A. Vantaret, however, points
(Continued on Page 7)

Golden Quits Mono.; Broidy Succeeds Him

West Coast Bureau of THE FILM DAILY

Hollywood—Edward A. Golden, vice-president and general sales manager of Monogram, tendered his resignation at a meeting of the Monogram board of directors yesterday. His successor is Samuel "Steve" Broidy, Monogram's Boston branch manager, who takes the new post Dec. 2. Broidy is a member of Monogram's board of directors.

Kelly, Gold and Buckley Re-elected to UA Posts

West Coast Bureau of THE FILM DAILY

Hollywood—At the annual meeting of United Artists stockholders yesterday, Vice-Presidents Arthur W. Kelly, Harry Gold and Harry Buck-
(Continued on Page 6)

No Paper Tomorrow

In observance of Thanksgiving Day, a legal holiday in New York State, no edition of THE FILM DAILY will be published tomorrow.

THE JIM DAILY

Vol. 78, No. 100 Wed., Nov. 20, 1940 10 Cents

JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Friedman, The Film Renter, 127-133 Wardour St., W. 1. PARIS—P. A. Harle, La Cinematographie Francaise, 29 Rue Marsoulas (12). MEXICO CITY—Marcos Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Tuesday, Nov. 19)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.				
Col. Picts. vtc. (2 1/2%)				
Columbia Picts. pfd.	21	21	21	1/2
Con. Fm. Ind.	3 3/4	3 1/2	3 3/4	1/2
Con. Fm. Ind. pfd.	8 7/8	8 1/2	8 7/8	1/2
East. Kodak	144 1/4	143 1/2	143 3/4	+ 1/4
do pfd.	177	177	177	+
Gen. Th. Eq.	28 3/4	28 1/2	28 3/4	3/8
Loew's, Inc.				
do pfd.	9 1/2	8 7/8	9	+ 1/8
Paramount	95 1/4	94 3/4	95 1/4	+ 1/4
Paramount 1st pfd.	10 1/2	10	10 1/2	+
Paramount 2nd pfd.	10 1/2	10	10 1/2	+
Pathe Film	10 1/2	10 1/2	10 1/2	+
RKO	2 1/2	2 1/4	2 1/2	+
20th Century-Fox	5 1/2	5 1/4	5 1/2	1/4
20th Century-Fox pfd.	16 1/2	16 1/2	16 1/2	1/4
Univ. Pict. pfd.	9 1/2	9 1/2	9 1/2	1/4
Warner Bros.	2 1/2	2 1/4	2 1/2	1/8
do pfd.				

NEW YORK BOND MARKET				
Keith B. F. ref. 646	104 1/4	104	104 1/4	+ 1/4
Loew's deb. 3 1/2%	49 1/2	49 1/2	49 1/2	+
Para. B'way 3 1/2%	94 1/4	94 1/4	94 1/4	+
Para. Picts. 6 1/2%	94 1/4	94 1/4	94 1/4	+
Para. Picts. cv. 3 1/4%	94 1/4	94 1/4	94 1/4	+
Warner Bros. dbs. 6 1/2%	90	90	90	+

NEW YORK CURB MARKET				
Monogram Picts.				
Sonotone Corp.				
Technicolor	9 1/2	9 1/2	9 1/2	+ 1/8
Trans-Lux	1	1	1	1/8
Universal Corp. vtc.				

Col. Holds Frisco Meet

San Francisco—Columbia's West Coast division will hold a sales meeting at the Hotel St. Francis here Saturday and Sunday, with Abe Montague and Rube Jacker here from the home office to attend.

Cruel Gag

A "general notice" to the effect that a certain major company would consider Friday also a holiday and not ask its employees to come in circulated around a home office yesterday.

"Take the day off and have another turkey," the notice said.

Yes, it was a gag.

100 Operators Canvass Two Missouri Towns To Present Union's Side of Labor Dispute

Webster Groves, Mo.—About 100 members of Local 143, Operators, are making a house-to-house canvass in Webster Groves and Kirkwood to acquaint residents with the union's side of its controversy with the managements of the Ozark of Webster Groves and the Osage and Kirkwood Theaters in Kirkwood. Union wants two men in the booths. Theaters claim they can't stand the expense.

World Conditions Block K-A-O Corp. Refinancing

Prior to flying to the Coast last night, Prexy George J. Schaefer of RKO announced that at the meeting of the Board of Directors no action was taken with reference to refinancing of the securities of the K-A-O Corp., because of the unsettled world conditions affecting the industry at this time.

Take Cooney's Testimony In Waldo Anti-Trust Suit

Boston—In the anti-trust suit case of the Waldo Theater Corp. versus Dondis and major distributors and several theater corporations of Maine, the defendant took depositions before the court from Carroll T. Cooney, at Walboro, Me., Cooney being the manager of the plaintiff corporation.

Present were Perkins & Weeks of Waterville, Me., representing some of the defendants; Edward T. McLennan of Boston, representing the remainder of the defendants and George S. Ryan of Boston, representing the plaintiff.

20th-Fox to Release Two Howard Hughes Pix

West Coast Bureau of THE FILM DAILY Hollywood—It is now definite that Howard Hughes' next two pictures will be distributed by Twentieth Century-Fox. The deal had been reported in the formative stage for some time.

Hughes' first picture under the agreement will be "The Outlaw" with Walter Huston as the star.

House Votes Against Adjournment 191 to 148

Washington Bureau of THE FILM DAILY Washington—The House late yesterday voted down the motion to adjourn by 191 to 148, thus arousing speculation as to the possibility of the Neely anti-block-booking bill coming up again at this session.

Warner Club Party Friday

New Haven—Warner Club will hold its annual dinner-dance at the Waverly Inn Friday, with about 400 representatives of the theater department, exchange department, and theater managerial staffs. Cy Barrett is in charge of booking entertainment for the evening, while Robert Anderson and Russell Clark of the contact department are general chairmen.

Brooklyn Theater Mgrs. Holdup, Kidnaping, Fake

Mack Willard, manager of the Jewel theater, Flatbush, and Hector La Bonef, porter at the house, together with Frank Adamo and Joseph Gabrial, will have hearings Dec. 3 before Magistrate Gasper Liota in Felony Court, Brooklyn, on grand larceny charges growing out of a police investigation of a "perfect" holdup and kidnaping last April. Complaint against the four was signed by Sam Friedman, owner of the Jewel.

Police say that Willard has admitted participating in the fake holdup and kidnaping, with La Bonef as his fellow "victim." Loot was the Jewel's \$380 week-end receipts. Police say Willard got \$75, La Bonef, \$25.

As reported to police at the time, the holdup and kidnaping had all the trimmings of a Hollywood melodrama. To add realistic touches, the robbers punched La Bonef, tore Willard's shirt.

Exhib. Launches Attack On Ky. Sunday Film Ban

Nicholasville, Ky.—Temporary injunction was granted in Circuit Court here against enforcement of a new city ordinance prohibiting showing motion pictures on Sunday. The recently-adopted ordinance declared operation of picture theaters on Sunday a "nuisance," and fixed fines of \$20 to \$50 for each performance.

The injunction was sought by George Pugh, operator of the Park, in a suit attacking constitutionality of the ordinance.

Both WB, Col. Bidding For "George Washington"

"George Washington Slept Here," new Kaufman-Hart play is reportedly being bid for by both Warners and Columbia for future picture production.

Majestic, Brooklyn, Dark After Try With Vaude

Majestic Theater, Brooklyn, which opened with a fanfare to bring vaudeville back to downtown Brooklyn, has folded. The policy lasted exactly 10 days.

Jean D. Marks Dead

Indianapolis—Jean D. Marks, affiliated with the Lrvic Theater, and an officer of the Olson Enterprises, operators of nabes, is dead.

COMING and GOING

WILLIAM DIETERLE has returned to the Coast after a short vacation in New York.

NOEL COWARD has arrived in Melbourne, Australia, from the U. S.

HUMPHREY BOGART leaves the Coast Sunday for New York.

LUCILLE BALL planes in today from Hollywood.

HARRY CAREY is here from the Coast.

VAN NOMICOS is here from Chicago.

CLARENCE E. ERICKSON, general manager of Walter Wanger Productions, has returned to the Coast after a lengthy stay here.

BETTY FIELD has arrived here from the Coast.

President GEORGE J. SCHAEFER of RKO planned to the Coast last night.

HARRY C. ARTHUR returned to St. Louis last night.

HERBERT J. YATES left for Memphis yesterday, arriving on the Coast Thursday where he will stay until Christmas.

HARRY BRANDT leaves today for Washington.

Warners Name Dunbar As Cincinnati Manager

Pittsburgh—Robert Dunbar, assistant manager and city salesman for Warners here, moves up as Cincinnati branch manager, succeeding Ralph Kinsler, resigned.

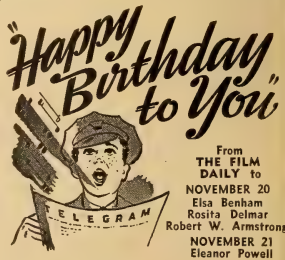
Dunbar is replaced by F. D. Moore, advanced from main line salesman. Latter's successor is yet to be named.

Loew's Managers, Wives To Make Merry Tonight

Managers and assistant managers of Loew's New York theaters, accompanied by their wives, will attend the second annual Thanksgiving beefsteak party tonight in the Starlight Roof of the Hotel Waldorf-Astoria. "Loew's A-Poppin," a floor show headlined by talent among the managers, is slated to be the highlight of the affair. Oscar A. Doob is chairman of the entertainment committee.

Para. Buys More Preferred

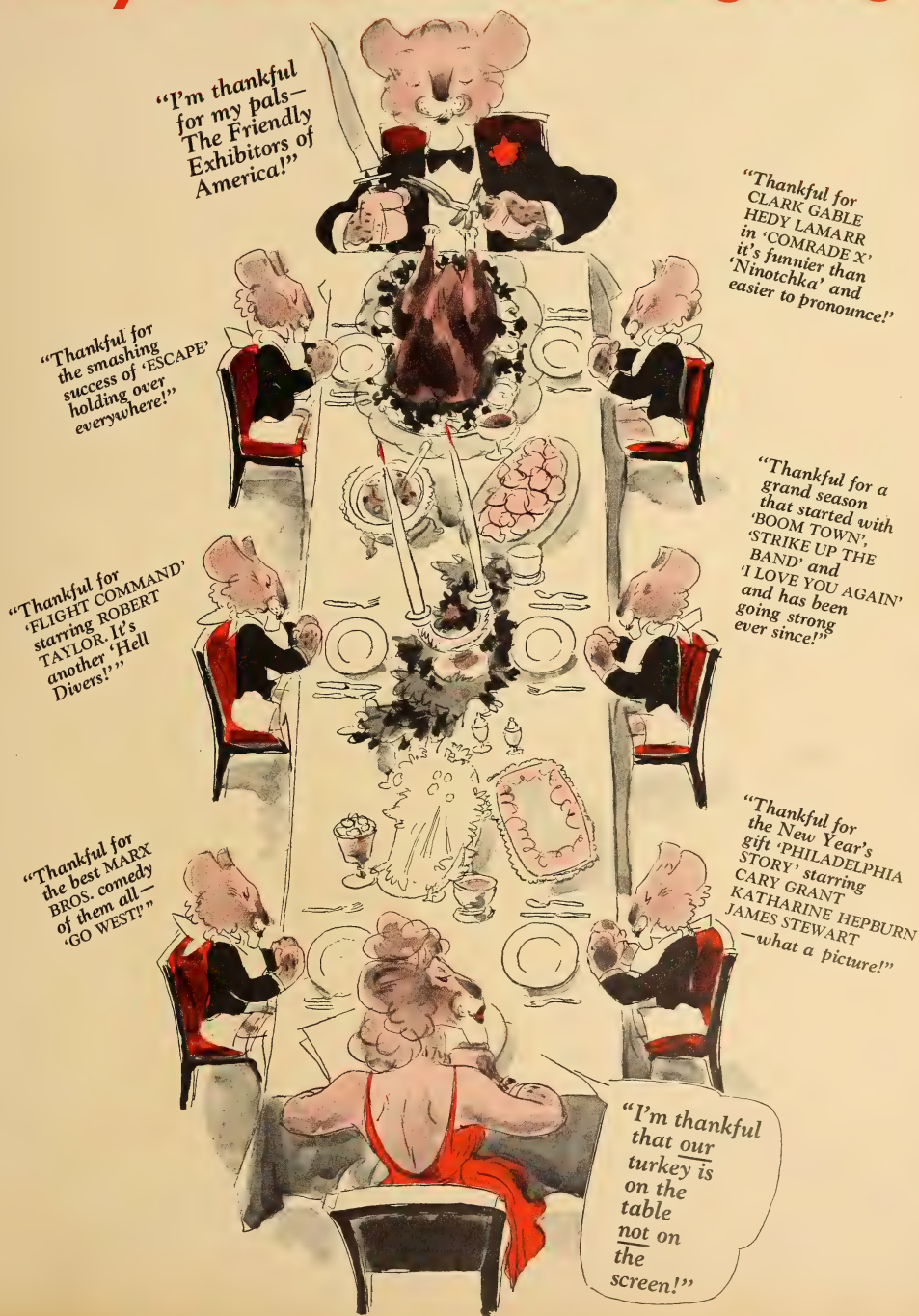
Paramount holds 10,482 shares of first preferred stock and 20,100 shares of second preferred, it was revealed by the New York Stock Exchange. During October, Paramount purchased 2,765 first preferred shares and 8,900 shares of second preferred.



From THE FILM DAILY to NOVEMBER 20
Elsa Benham
Rosa Delmar
Robert W. Armstrong
NOVEMBER 21
Eleanor Powell

MR. AND MRS. LEO

They Celebrate Thanksgiving!



"BUSINESS BEFORE

(Christmas will take care of itself)

When the exhibitors, who now head Universal, operated theatres, they knew that everyone was a great showman on Christmas Day. But they also knew that Christmas Week profits disappeared into thin air after the pre-Christmas expenses were deducted. It was only natural therefore that their motto should be "Business Before Christmas"!

They fought for the best pictures they could get and they campaigned them with all their energy and resources—AND any number of times they licked the old bugaboo about pre-Christmas slumps; they did business!

Today, as distributors, these men feel the same way about it. To every real showman in America they say: "Tell tradition to take a sneak! Here are two of our most important pictures. In star value, in production, in every detail, they have potentiality for high grosses NOW, before Christmas! You'll get one of these on November 28th; you'll get the other on December 13th! Prints are ready! Campaigns are ready! And business is ready—*always ready*—if you've got pictures like 'The Bank Dick' and 'Trail of the Vigilantes'."

Go out and get those dollars that are waiting for you between now and December 25th!

"Christmas will take care of itself!"

CHRISTMAS

For National Release **NOVEMBER 28th!**

W. C. FIELDS in "The BANK DICK"

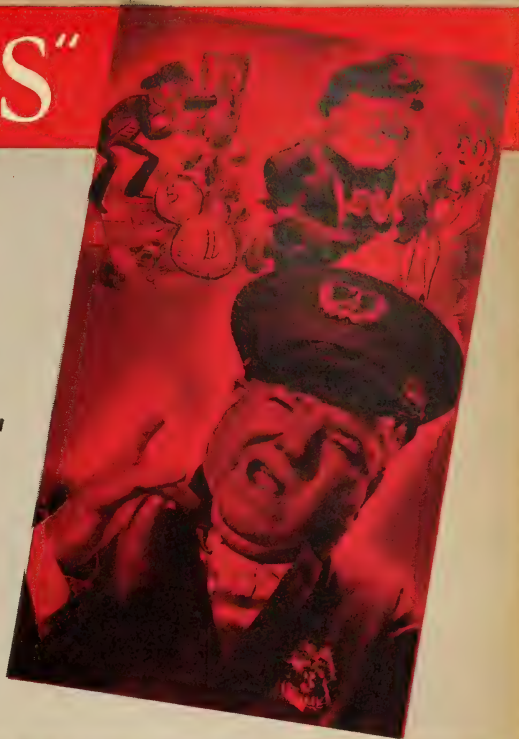
with Una Merkel • Richard Purcell

Shemp Howard • Franklin Pangborn • Grady Sutton

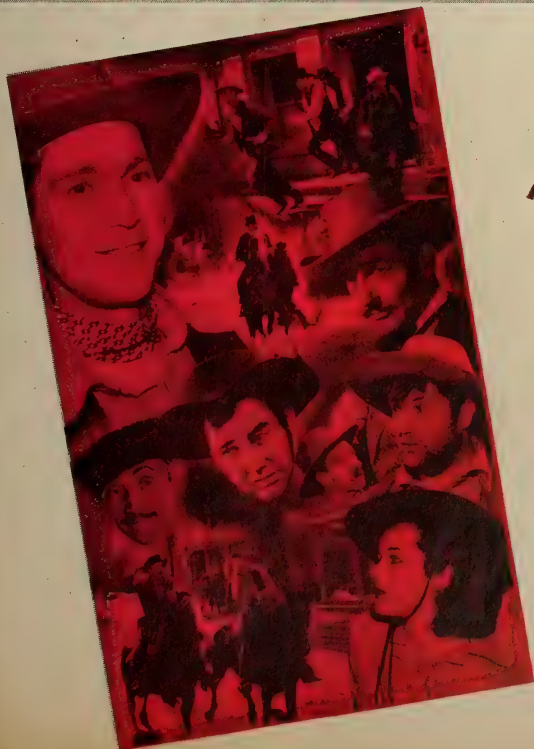
Jessie Ralph • Cora Witherspoon

Original Screenplay by Mahatma Kane Jeeves

Directed by **EDWARD CLINE**



UNIVERSAL—the Exhibitor Company!



For National Release **DECEMBER 13th!**

"TRAIL of the VIGILANTES"

starring

FRANCHOT TONE

with

Warren William • Broderick Crawford

Andy Devine • Mischa Auer

Porter Hall • Peggy Moran

Directed by **ALLAN DWAN**

Boston Police Ban All Theater Games

(Continued from Page 1)

game has won four previous cases in Massachusetts.

However, the office of the Police Commissioner yesterday informed THE FILM DAILY that the order putting a stop to all games of chance would affect every type of game, whether under the name of Bank Night, Lucky Night or whatever else might be decided upon by the promoters.

Beano and Bingo are permitted to be run for charitable purposes only but this, of course, does not affect the order against their use in theaters.

Heretofore, there has been some sort of warning, usually of the underground or grapevine variety, but this time the order to close and to remain closed came with the suddenness of a bolt of lightning.

At many of the theaters, the announcement was greeted with cat-calls and boos and in one theater, the Shawmut, where Lucky Nights have been run, the audience arose en masse and threatened to leave the theater until the pleading of Manager Saef convinced them that it was not the theater operators, but the police department that was responsible for the order being given and enforced.

Strand One of First Two Theaters to Get Vitasound

(Continued from Page 1)

Mothers" will be first feature to receive Vitasound projection in both theaters while a Henry Busse short subject will be thus projected Nov. 30.

In order to make Vitasound available as soon as possible to all producers and exhibitors desiring to take advantage of it, RCA has requested the Research Council of the Academy of M. P. Arts and Sciences to establish standards of manufacture at the earliest possible date.

Major Levinson, head of Warner Bros. sound department, said that installation of extra horns and amplifiers will cost the average theater about \$2,500.

Para. Pacts Phil Reagan

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has signed Phil Reagan to a term contract. He will probably appear in a musical film with Susanna Foster and Constance Moore.

Syracuse University Books 'Hellzapoppin'

Syracuse, N. Y.—Syracuse University, via its Civic Theater, downtown house operated by the dramatics department, has booked the road company of "Hellzapoppin'" for a one-nighter on Dec. 5. Bob Case, one-time general manager for Smith Chain Theaters, is house director of the Civic for the University. Dramatics department is headed by Prof. Sawyer Falk.



● ● ● HAPPY Thanksgiving!.....Folks hereabouts are starting it right via the 21st Annual Charity Dinner and Dance of Motion Picture Associates at the Hotel Astor tonight, which'll sport such stars as Glenda Farrell, Marion Marsh, Mary Brian, Claire Trevor, Alan Dinehart, Lyle Talbot, James Dunn, Simone Simon, Victor Moore, Jack Haley, Edmund Lowe and Phyllis Brooks.....Happy Thanksgiving!.....'Twill be also for Warners' promotional forces, one of the reasons being that company's campaign plan as "Knute Rockne—All American" has been chosen by the Advertising Club of New York for exhibition at its headquarters as an example of "best presentation of subject matter for purposes which contents are intended and for good printing".....Happy Thanksgiving!..... A head start in joy came off yesterday as some 200 folks, including gobs of Fourth Estaters, witnessed the entertaining Information Please filming o'er at 54th St. and Tenth Ave., at which Louis Bromfield was guest guesser along with veterans Oscar Levant, John Kieran and F.P.A. (Mrs. Helen G. Corey, public relations director for the Skouras Theaters, was on deck with 11 members of her Photo Club).....

● ● ● HAPPY Thanksgiving!.....Those in charge of the "Night of Stars" will find it so with all box seats sold for the big Nov. 27 event, and 'mong the holders are Mayor and Mrs. LaGuardia, Nathan and Mrs. Straus, Senator Wagner, Jules Brulatour, David O. Selznick, Louis Nizer, Leo and Mrs. Spitz, Murray and Mrs. Silverstone, Barney and Mrs. Balaban, David Bernstein, George P. Skouras, and lots more.....Happy Thanksgiving!..... Philly's Variety Club is already in the seventh heaven o' delight that Postmaster General Frank C. Walker will be on the dais for the sixth annual banquet at the Bellevue-Stratford, Dec. 12..... Happy Thanksgiving!.....

Kelly, Gold and Buckley Re-elected to UA Posts

(Continued from Page 1)

ley were re-elected. The meeting was adjourned until Saturday.

Although no official statement was issued following the opening day's session it is known that Murray Silverstone informed the stockholders that the Company will distribute 14 pictures from Jan. 1 to June 30 and that these pictures represent a cost of \$12,250,000.

The pictures are "The Great Dictator," \$2,200,000; "The Thief of Bagdad," \$1,750,000; "Son of Monte Cristo," \$650,000; "Flotsam," \$900,000; "Road Show," \$500,000; "Cheers for Miss Bishop," \$650,000; "Major Barbara," \$800,000; "Lady Hamilton," \$1,250,000; "New Wine," \$600,000; "Pot O' Gold," \$600,000; "Broadway Limited," \$500,000; "That Uncertain Feeling," \$750,000; "Return of Topper," \$500,000; "Strange Victory," \$600,000.

Slated for re-election at the opening session were the following directors: Herbert Maas, representing Mary Pickford; Dennis O'Brien, representing the Douglas Fairbanks estate; Charles Schwartz, representing Charlie Chaplin; Steve Pallos, representing Alexander Korda;

AGMA is Denied Wit In Its A F of M Dispute

(Continued from Page 1)

complaint because it stated a cause of action.

The Court sustained the claim of AGMA that James Petrillo, AFM prexy, had arbitrary control of the union under its constitution, but declared that "the Courts do not draw constitutions and do not select the union to be joined."

The opinion declared that the difficulties of the situation "are of plaintiff's making" since they had brought themselves within the jurisdiction of the AFM by forming a labor union. Moreover, the Court said, the activities of AFM in seeking to compel AGMA members to join it were not illegal and were not due to "malevolence." Attorneys for the plaintiffs intend to ask for an early trial, it was learned.

RKO Sets Comerford Deal

RKO Radio has closed a seasonal product deal with the Comerford circuit.

James Mulvey, representing Samuel Goldwyn; Ed Raftery, secretary and Harry Muller, treasurer,

Robert Wright May Be Watchdog for Decree

(Continued from Page 1)

sumably will have headquarters in Washington although it is possible that New York may be selected.

Wright, who has been assigned to several film cases by his superiors and hence has a general industry background, is regarded as a logical selection. However, several others are understood under consideration by Attorney General Robert Jackson and Arnold.

Size of the unit is undetermined. It might start with three or four special assistants, with number of complaints probably determining the final size. All attorneys assigned to the unit will be familiar with the equity suit, the decree and the industry, it is said.

Washington Bureau of THE FILM DAILY

Washington—Despite a growing interest on the part of Washington motion picture circles in reports of a new department unit to supervise enforcement of the consent decree, Department of Justice officials last night would make no statement regarding the rumors. While it was pointed out in several quarters that the report had "a strong basis," official circles remained silent and would neither confirm nor deny it.

West Coast Bureau of THE FILM DAILY

Hollywood—At Saturday's meeting of the United Artists' stockholders, now in session here, the conditions of the consent decree affecting United Artists, if any, will be thoroughly discussed. The company is maintaining its position in opposition to the decree.

100% Holdovers Registered By Para. NWMP.—Agnew

(Continued from Page 1)

fourth week at the Newman Theater was reported from Kansas City, while patronage continues well above normal at the Paramount, Los Angeles, where the DeMille picture is in its third week. After two big weeks at the Chicago, Chicago, business was reported to be 25 per cent ahead of average at the Garrick.

Similar capacity moveover and holdover business was recorded in Milwaukee, Portland, Ore., Denver, Salt Lake City, San Diego, Indianapolis, Sioux Falls, Louisville and San Francisco.

Mrs. Sylvia Ashton Dead

West Coast Bureau of THE FILM DAILY

Hollywood—Mrs. Sylvia Ashton, 60, screen character actress, is dead.

I-I Circuit to Use 12 Auto Giveaways

Chicago—To stimulate attendance, the Indiana and Illinois circuit will give away 12 autos next month, according to Prexy Jack Rose.

New Film Restrictions Proposed in Argentina

(Continued from Page 1)

out that the quota policy has destroyed the national picture industry wherever it was applied, as in England, Germany and Italy.

The majority also refers to the alleged disappointing activities of the Argentine Film Institute, headed by Carlos Alberto Pessano.

(Sources in New York said the Institute was formed as an MPPDA for Argentina but with broader powers for censorship and propaganda).

Argentine producers contend that it would be more useful if the Government would press upon the Franco regime in Spain to have at least some of the red tape removed, thereby making the export of local films to Spain less of a hazard.

Greenthal Named UA's Advertising, Publicity Head

(Continued from Page 1)

12 years and formerly headed the advertising and publicity department. Currently he is director of exploitation and has pioneered in the creation and development of UA's field exploitation and sales promotion service to the exhibitor.

Default Decision Reserved

Boston—Federal Judge John A. Peters has reserved decision on a motion to default Samuel Kurson, defendant, for his failure to appear on Nov. 13 to give his deposition in the action brought by Millinock Theaters, Inc., and Clarence F. Millett.

To Pay 1 1/4% Dividend

Montreal—Dividend of 1 1/4 per cent has been declared by directors of Hamilton United Theaters, Ltd., on the preferred stock, payable Dec. 31 to shareholders of record Nov. 30.

WEDDING BELLS

Atlanta—Alma Wilby, daughter of Robert Wilby, president of the Wilby Circuit, was married here to James Thomas Redd of Kansas City, Mo.

West Coast Bureau of THE FILM DAILY

Hollywood—Chester Morris will be married here Nov. 30 to Lillian Kenton Barker.

Cincinnati—Marion Ray of RKO, is to be married Dec. 22, to Alfred Meitus, local lawyer.

Tulsa, Okla.—Ralph Drury, manager of the Ritz, operated by Ralph Talbot Theaters here, was married to Gwinn Higgins of Tulsa.

Des Moines—Marriage of Merle E. Norton of Central States Theater Corp., to Dr. A. S. Barnes of Estes Park, Colo., on Nov. 5 in Denver is announced.

REVIEWS OF NEW FILMS

"Arizona"

with Jean Arthur, William Holden, Warren William, Porter Hall

Columbia 127 Mins.
EFFECTIVE BLENDING OF ACTION, ROMANCE AND COMEDY SHOULD DO NICELY AT THE BOX-OFFICE.

This stirring story of the early days when Arizona was a territory and a young, fearless woman—the first American woman to come to Arizona—defied the renegades who tried to rule Tucson, has been tellingly produced and directed by Wesley Ruggles, who directed "Cimarron." Ruggles effectively blended the action, romance and comedy, and the picture should do nicely at the box-office.

"Arizona" is also a triumph for Jean Arthur as a straight-shooting, dauntless girl, who left Freight, Illinois, and fell in love with the West and William Holden, a restless adventurer who returns to Tucson in time to be of much help to Jean. Holden is very likeable and convincing as the young man who carries out an "errand"—an "errand" of bringing 500 head of cattle from Nebraska through the "badlands" and desert to Tucson.

Warren William and Porter Hall are very valuable assets to the cast, the former as a gambler who moves into Tucson and forces its erstwhile ruler Hall, to become his tool. Paul Harvey, is one of Jean's staunch friends and supporters and Edgar Buchanan, as a self-appointed dispenser of justice, do splendid work. Claude Binyon fashioned a gripping screenplay, based on a story by Gripping Budington Kelland. The photography furnished by Joseph Walker, Harry Hallenberger and Fayte Browne is exceptionally good.

Hall controls a freight line that brings in food and supplies and charges exorbitant prices. Jean, who is seeking to make enough money to come day buy the largest ranch in Arizona that she dreams about, and Paul Harvey become partners in a freight line. However, Hall and his silent partner, William, make a deal with the Indians to supply them with guns for ammunition. In turn the Indians attack the new freight line and do not molest the Hall-William drivers.

Holden returns to Tucson with Union soldiers and helps Jean get the freighting contract with the Army. William and Hall have their men steal \$15,000 that has been paid Jean by the government and then William loans \$15,000 to Jean, insisting she put her business and ranch up as security.

On the day that William is to foreclose the mortgage, Holden returns with the cattle from Nebraska. Jean and Holden are married, but immediately after the ceremony, William goes gunning for the bridegroom. Bravely, Jean waits the outcome of the gun-duel which Holden wins.

CAST: Jean Arthur William Holden, Warren William, Porter Hall, Paul Harvey, George Chandler, Byron Foulger, Regis Toomey, Paul Lopez, Colin Tapley, Uvaldo Varela, Edgar Buchanan, Earl Crawford, Griff Barnett, Ludwig Hardt, Patrick Moriarty, Frank Darien, Syd Saylor, Wade Crosby, Frank Hill, Nina Campana, Addison Richards.

CREDITS: Producer, Wesley Ruggles; Director, Wesley Ruggles; Author, Clarence

"Bitter Sweet"

with Jeanette MacDonald and Nelson Eddy Metro 92 Mins.

CERTAIN TO PLEASE MACDONALD-EDDY FANS: PRODUCTION VALUES ARE OUTSTANDING.

Here are sets and costumes at their best and most eye-filling, with the familiar Noel Coward music losing none of its popularity and pleasing the ear. The picture is in Technicolor and is certain to please the Jeanette MacDonald and Nelson Eddy fans, although the story is rather too familiar.

The most lavish praise is due the production itself, with the piece de resistance being kept for the final sequence when brown-and-white effects are used to highlight a gayly costumed Gypsy dance number. Unusual photographic effects have been achieved. To Victor Saville goes very important credit as the producer, while the direction by W. S. Van Dyke II is effective, as usual.

Jeanette MacDonald is splendid as a gay and vivacious singer, who elopes to Vienna with her teacher, Nelson Eddy, just when her engagement is about to be announced to stodgy Edward Ashley, an Englishman. Eddy is at his best singing the Coward songs with Miss MacDonald, while the drinking song, "Tokay," is a stirring number. George Sanders, Edward Ashley, Ian Hunter, Lynne Carver and Charles Judels do good work, while Fred Bressart, Curt Bois, Dianne Lewis and Herman Bing furnish the comedy.

Lesser Samuels concocted the screenplay. To Ernest Matray goes much praise for his refreshing and ingenious direction of the dances. Oliver T. Marsh, handling black-and-white, and Allan T. Davey, Technicolor, share honors for the splendid photography. Adrian designed the costumes.

Jeanette MacDonald and Eddy, after their marriage, find the going rough financially, and are forced to take work in a cafe. There Sanders, an Austrian army officer, tries to force his attentions on Jeanette, and Eddy, trying to defend her, is slain. Judels, a music publisher, agrees to publish the operetta Eddy had written.

CAST: Jeanette MacDonald, Nelson Eddy, George Sanders, Felix Bressart, Lynne Carver, Ian Hunter, Edward Ashley, Diana Lewis, Curt Bois, Fay Holden, Sig Ruman, Janet Beecher, Charles Judels, Veda Ann Borg, Herman Bing, Greta Meyer.

CREDITS: Producer, Victor Saville; Director, W. S. Van Dyke, II; Original Play, Music and Lyrics by Noel Coward; Screenplay, Lesser Samuels; Musical director, Herbert Stothart; Additional Lyrics, Gus Kahn; Cameraman, Oliver T. Marsh; Dance Director, Ernest Matray; Technicolor Photography, Allen Davey; Technicolor Director, Natalie Kalmus; Editor, Harold F. Kress.

DIRECTION, Excellent. PHOTOGRAPHY, Splendid.

Budington Kelland; Screenplay Claude Binyon; Cameraman, Joseph Walker, Harry Hallenberger, Fayte Browne; Art Director, Lionel Banks; Associate, Robert Peterson; Musical Director, M. W. Stolf; Music by Victor Young; Editors, Otto Meyer, William Lyon.

DIRECTION, Corking. PHOTOGRAPHY, Exceptional.

Minor Changes Seen In Arbitration Rules

(Continued from Page 1)

that no substantial changes would be made, but that several minor amendments were in prospect.

It is reported that the meeting was held at the suggestion of Judge Goddard, made before the hearing of last Thursday.

RKO Schine Pool to Add Syracuse Empire as 7th

(Continued from Page 1)

for legit., is between the Paramount and Strand, both in the pool. Deal is said to be for 10 years.

Understood that the pool will attempt to keep the Empire a "class" house, making it available for legit. bookings.

Pool's acquisition of the Empire would leave only two Main Stem houses outside its scope. They are Loew's State and the Civic, the latter operated by Syracuse University.

Protests Kill Move for Film Regulation Board

(Continued from Page 1)

up under the ordinance. Protests stemmed from the fact that amateur movie makers would have been required to secure annual city licenses as projectionists if desiring to exhibit their reels outside their own homes, and, additionally, would have been required to pay \$1 for a special permit for each performance.

Spitalny Ork in Syracuse

Syracuse, N. Y.—Phil Spitalny and his all-girl "Hour of Charm" band move in as the Thanksgiving week attraction at the RKO Schine Strand which is clicking with a stage show policy. The GE radio program will be piped from the Strand Sunday, with admission for the last show by guest tickets only.

Questa-Quiz In S. I. House

Fabian's Stadium Theater, Tottenville, Staten Island, has contracted to play the new Questa-Quiz game distributed by Screencraft Pictures, Inc.

STORKS!

Chicago—Alice Nortman Newman, formerly of the Warner Theater headquarters staff, has a new son.

Cleveland—Rudy Norton, Republic salesman is celebrating the arrival of his third daughter, named Eva Lynne.

New Haven—Maxwell Hoffman, Warner Theater Department executive, is father of a second daughter, Linda Ruth, weighing 6 lbs. 10 ozs., born at Grace Hospital.

ON THE AIR FOR YOU!

**ALICE
FAYE**

**BETTY
GRABLE**

**JACK
OAKIE**

**JOHN
PAYNE**

**'TIN PAN
ALLEY'
BROADCAST
FROM
HOLLYWOOD**

Songwriters Mack Gordon
and Harry Warren

The stars, the songs, the
laughter, the romance
of "Tin Pan Alley"!

**... A SENSATIONAL 60-MINUTE
PLUG OVER THE KATE SMITH HOUR!**

Listen in!... Friday, Nov. 22, 8 to 9 P.M. (EST) over CBS!

Listen in!... with the Hour's radio-audience of 25,000,000!

Listen in!... as 20th's broadcast barrage comes to its spectacular climax!

The greatest radio show in the history of radio showmanship
... for the greatest money musical of all time!



THE Film DAILY

FILE COPY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 101—First Section

NEW YORK, FRIDAY, NOVEMBER 22, 1940

TEN CENTS

DECREE OKAYED; VEEDER, APPEALS CHIEF Widespread Changes in Warner Sales Staffs

Sears Orders Shifts As Decree is Signed; McCoy Upped to So. Dist. Head

Federal court confirmation of the New York equity suit consent decree Wednesday was the signal for a series of changes in Warner sales personnel, made by Grad L. Sears, general sales manager, and effective next Monday. Others will follow, it was stated.

Featuring the shifts was the promotion by Sears of Ralph McCoy, Warner branch manager in Atlanta, to district manager of the newly created Southeastern district, effective next Monday.

(Continued on Page 5)

Block and Sork Sue Distrib., Exhibs.

Philadelphia—Anti-trust suit for \$62,700 triple damages was filed in Federal Court here Wednesday by Harry Block and Henry Sork, operating the Rio, Reading, against 13 distributors, including Republic, and subsidiaries and eight up-state exhibitors.

Suit has the distinction of being the first instituted since the filing of the consent decree in the New York equity suit, and was filed on Wednesday.

(Continued on Page 5)

Metro to Call Dec. Meet On New GWTW Campaign

M-G-M plans to hold a meeting of its field managers early in December for the purpose of discussing, among other things, the new sales campaign on "Gone With the Wind." The meeting will be held on December 10.

(Continued on Page 4)

SKOURAS AIDSGREEK RELIEF

Named Executive Head of
Nation-Wide Campaign

With announcement Wednesday that Spyros Skouras, National Theaters chieftain, had been named executive head of The Greek War Relief Association, Inc., plans were being worked out for a nation-wide campaign to raise \$10,000,000 to buy equipment and medical supplies vital for the relief of the Greek populace affected by the Italian invasion.

Offices have been opened by the organization at 730 5th Avenue in the Heckscher Building.

**UA Expects Tenth
Of U. K.'s \$12,000,000**

West Coast Bureau of THE FILM DAILY

Hollywood—One of the important matters discussed at the opening session of United Artists' annual meeting, which continues tomorrow, was the new sales campaign on "Gone With the Wind." The meeting will be held on December 10.

(Continued on Page 7)

MPTOA to File Trust Action? Object Would Be To Stymie Consent Decree

"Dictator" Set in B. A.
For Christmas Opening

Buenos Aires (By Cable)—Charles Chaplin's "The Great Dictator" will open here Christmas day, if Chaplin confirms the offered guarantee of \$1,000,000.

(Continued on Page 4)

Court Silent on Decision, Rendering No Opinion; Some Sections Immediately Operative; Associates On Appeals Board May Not be Named Until January

Approval of the consent decree between the Government and the five negotiating companies was signed Wednesday by Federal Judge Henry W. Goddard without any changes in the decree itself.

Appeals Chairman Former U. S. Judge

Former Federal Judge Van Vechten Veeder, named yesterday as chairman of the industry's Arbitration Appeals Board for a three-year term, is a member of the Manhattan law firm of Burlingham, Veeder, Clark and Hupper.



VAN VECHTEN VEEDER

College. He was admitted to the Illinois bar in 1890 and to the New York bar in 1900. He was appointed U. S. District Judge for the Eastern District of New York in 1911 and served until 1917.

Judge Veeder is a permanent member of the National Association of Attorneys.

(Continued on Page 7)

The Court rendered no opinion nor listed any reason for its decision. The decree becomes immediately effective by reason of the Court's approval.

Simultaneously with his approval, Judge Goddard appointed former Judge Van Vechten Veeder as chairman of the Appeals Board provided in the arbitration system. The appointment becomes effective as of the date of the order for a term of three years at \$20,000 per year, with the understanding that he will not be eligible for re-election.

(Continued on Page 4)

"Just Begun to Fight," Declares Max A. Cohen

"We've just begun to fight," Max A. Cohen, president of New York Allied (MPTOA unit), declared Wednesday when informed that the consent decree had been signed by Federal Judge Henry W. Goddard.

Cohen said that he and his organization would use every means possible to fight against the enforcement of the decree.

(Continued on Page 4)

Paramount Considering Calling Preferred Stock

Refundings of one or both of its outstanding issues of preferred stock is being considered by Paramount. Outstanding at present is approximately \$1,000,000.

(Continued on Page 7)

"Little 3" May Use Arbitration Setup

Signing of the consent decree left unchanged the position of the so-called "Little Three"—Columbia, Universal and UA. None of these companies is obligated to use, for example, the new system of arbitration. However, since the machinery exists, any one or all of the non-signing organizations might find it convenient to use it, although it is not required of them in their present or future relations with exhibitors.

T. P. Loach Resigns From Monogram

Hollywood—T. P. Loach has resigned as vice-president and secretary-treasurer and member of the board of directors of Monogram and has been succeeded as treasurer by Raymond Young, secretary and treasurer of Pathe Laboratories, Inc., of California.



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DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Wednesday, Nov. 20)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	93 1/2	91 1/2	91 1/2	+ 1/2
Col. Pict. vtc. (2 1/2 %)	5 1/2	5 1/2	5 1/2	+ 1/2
Columbia Pict. ptd.	143 3/4	142 3/4	142 3/4	- 1 1/2
Con. Fm. Ind.	83 1/2	83 1/2	83 1/2	- 1/2
Con. Fm. Ind. ptd.	83 1/2	83 1/2	83 1/2	- 1/2
East. Kodak	143 3/4	142 3/4	142 3/4	- 1 1/2
do ptd.	143 3/4	142 3/4	142 3/4	- 1 1/2
Gen. Th. Eq.	11 1/4	11	11	- 1/4
Loew's, Inc.	28 1/2	27 3/4	28	- 1/4
do ptd.	28 1/2	27 3/4	28	- 1/4
Paramount	9 1/2	8 3/4	9 1/2	+ 1/2
Paramount 1st ptd.	96	94 1/2	95	- 1/4
Paramount 2nd ptd.	10	9 1/2	10	- 1/4
Pathe Film	10 1/2	10 1/2	10 1/2	- 1/4
RKO	5 1/2	5 1/2	5 1/2	- 1/4
20th Century-Fox	16 1/2	16 1/2	16 1/2	- 1/4
20th Century-Fox ptd.	16 1/2	16 1/2	16 1/2	- 1/4
Univ. Pict. ptd.	2 1/2	2 1/2	2 1/2	- 1/4
Warner Bros.	41 1/2	41	41	+ 3/2
do ptd.	41 1/2	41	41	+ 3/2

NEW YORK BOND MARKET

Kuith B. F. ref. 646	102 1/2	102 1/2	- 1/2
Loew's deb. 3 1/2 %	49 1/2	49 1/2	- 1/2
Para. B'way 3 1/2 %	49 1/2	49 1/2	- 1/2
Para. Pict. 6 5/8 %	94 1/2	94 1/2	- 1/2
Para. Pict. cv. 3 1/4 %	94 1/2	94 1/2	- 1/2
Warner Bros. deb. 6 1/2 %	89 1/2	89 1/2	- 1/2

NEW YORK CURB MARKET

Monogram Pict.			
Sonotone Corp.			
Technicolor	9 1/2	9 1/2	9 1/2
Trans-Lux			
Universal Corp. vtc.			
Universal Pict.			

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. '45	65	69
Roxy Theat. Bldg. 4s 1st '57	62	64

POSITION WANTED

Lady desires position as film booker. Was formerly with a major company. Excellent references. Write Box 1920, THE FILM DAILY, 1501 Broadway, N. Y. C.

Mass. Imposes 3% Tax on All Bank Night Winnings of \$5 or More in Film Theaters

Springfield, Mass.—State Tax Commissioner Henry F. Long, has disclosed that Massachusetts is taxing "Bank Night" and "Beano" winnings and that the proceeds are expected to swell the state's coffers this year by \$80,000 to \$100,000. He said that operators of "Bank Nights" had been ordered to deduct a 3 per cent tax on all winnings of \$5 or more.

Long explained: "If a person buys a share of stock and the market goes up, he is obliged to pay a tax on his profit. "Naturally, if he buys a ticket in a Beano game or at a Bank Night, or in any other lottery, and he happens to win, he should be forced to pay a tax."

Suggests Four Solutions to Del. Blue Law Problem

Wilmington, Del.—Four possible courses as a solution to the Sunday blue law problem have been submitted by Attorney General James R. Morford to the Rev. Ralph L. Minker, chairman of the legislative committee named last year to study the statutes and report to the 1941 General Assembly.

Suggestions were: outright repeal of Sunday blue laws without substitute legislation; repeal giving town councils unlimited power by ordinance to prohibit Sunday activities; repeal and substitution of a state-wide statute prohibiting certain enumerated activities; or keeping basic features of present blue laws with, perhaps, modernization of language and enumeration of special exceptions to the general prohibition.

The attorney general announced that 39 replies were received from his survey of 48 attorneys-general about the blue laws but that "these responses do not offer a constructive solution to the problem" and indicate "archaic and unenforceable" statutes in almost all states.

Neely Bill Said "Dead"; Pressure Groups Dissent

Washington Bureau of THE FILM DAILY
Washington—Despite the fact that a spokesman for the House Interstate Commerce Committee said Wednesday that the Neely bill insofar as the Committee is concerned is "dead," public groups interested in its passage refuse to give up the fight.

Refusal of the House to adjourn has been of material encouragement to them, and with the session expected to continue until the holidays, they propose to wage a battle for enactment. Meeting will probably be held shortly to determine on strategy, but no definite details are set.

Representatives of the public groups concede that favorable House action hinges on the attitude of Congressional leaders.

The House recessed Wednesday until today when it will recess again until Monday.

Cuban Theaters Open Nov. 27

Havana (By Air Mail)—For the first time since 1871, theaters in Cuba will be open on Nov. 27. Closing annually has commemorated the execution of eight students by the Spanish government. New constitution eliminates the observance.

Fayetteville, N. C., Ban On Sunday Films Killed

Fayetteville, N. C.—A local city ordinance prohibiting Sunday movies, theatrical entertainments or public dances was declared invalid by Judge R. Glenn Cobb in Recorder's court here. Leon Gibson, manager of the Broadway, charged with allowing an unfinished film to run over from Saturday night into Sunday morning, was found not guilty.

Judge Cobb's decision, which is viewed as possibly opening the way to operation of Sunday movies in Fayetteville, declared the ordinance invalid because it was held to be "unreasonable, not in harmony with the municipal charter and not general in its application."

Court Hears Summation Today in Adorno Action

Middletown, Conn.—Judge Ernest Simpson will hear attorneys for both sides in final summing up of arguments of fact in the "conspiracy" cases of S & S Theater Corp. and Middlesex Theater, Inc. vs. Salvatore Adorno, their former partner and general manager, today. The attorneys will also be required to file written briefs on the law. The hearing has extended through six weeks, during which time some 55 witnesses have been called. Plaintiffs ask \$269,000 damages and writ restraining Adorno from operating any theater here.

Added Time to Prepare Canadian Clearance Plan

Toronto—Presentation of the report of the special clearance committee in the matter of a revised plan for clearance reforms in Canada, requested by the Film Section of the Toronto Board of Trade, has been postponed for two weeks in order to give the committee more ample time. Original plan was for the report to have been ready this week.

Adrienne Morrison Dies Following Heart Attack

Adrienne Morrison, 62, actress and literary agent, former wife of Richard Bennett and mother of Connie, Joan and Barbara Bennett, died suddenly here Wednesday, following a heart attack. Miss Morrison was the wife of Eric S. Pinker, literary agent.

COMING and GOING

W. F. RODGERS and H. M. RICHEY leave Sunday for Detroit, with Rodgers returning here next week while Richey makes several other stops.

NICHOLAS NAYFACK, business manager of the Metro studios, is here from the Coast on business.

CHARLES ROBERTS, Columbia foreign department executive, is in Cuba.

SAM HARRIS leaves today for Palm Beach.

DON HARTMAN, Paramount writer, arrived here Wednesday from the Coast with MRS. HARTMAN for a three-week vacation.

LEE CHURCHIN, of RKO's Coast transportation department, has returned to Hollywood.

LEO SPITZ is due here next week from the Coast.

TOM PATRICOLA has arrived in Hollywood from New York.

DONALD FRIEDE, literary head of the Myron Selznick office, leaves the Coast today for a two-week visit here on business.

ARTHUR HORNBLow, JR., was expected here today from Hollywood.

SAM LYONS is on the Coast for a protracted stay on business.

FRANK ORSATTI has returned to Hollywood.

GENE AUSTRY has returned to Hollywood after an extended pay tour of the country.

GABRIEL PATAK is expected here from London around the middle of next month.

ALBERT E. SINDLINGER, advertising and promotion director of The March of Time, left Wednesday with his family for a two-week vacation in Ohio.

ARTIE NEWMANN, Republic branch office manager in Albany, is in Cooperstown calling on Bill Smalley of the Smalley Circuit on a product deal.

ED FINNEY, here from the Coast, is stopping at the New York Athletic Club.

U. S. Argentine Distributors Join Film Chamber Move

Buenos Aires (By Air Mail)—Creation of an Argentina Film Chamber has been discussed here by both exhibitor and distributor interests. Initial meeting on the subject was attended by Monroe Isen, Universal manager; Guy Morgan, United Artists; Sidney Horan, 20th Century-Fox, and Venancio Rubio, Joaquin A. Lautaret and Attilio Gandolfo, representing exhibitors. Further confabs are planned.



From THE FILM DAILY to NOVEMBER 22
Hobart Henley Rosetta Duncan Harpo Marx
Alex Moss E. V. DuPar Arthur E. Christle John F. Natteford

TIN PAN ALLEY

...in 110 out of 110
pre-release cities...

SOCK!



Goddard Approves Consent Decree

(Continued from Page 1)

proviso that it may be terminated otherwise as provided for in the decree. Provisions in the decree grant the power to Judge Goddard to remove any Appeals Board member at the Court's will.

Government attorneys stated that those provisions of the decree which prohibited certain practices such as the forcing of shorts, newsreels and serials, and the arbitrary withholding of prints are immediately effective, while other parts of the decree which regulate selling methods and trade showings will become operative at the beginning of the 1941 selling season.

It is understood that Judge Goddard will not appoint Veeder's two associate judges until the early part of January. Two associate judgeships pay \$17,500 per year and run concurrently with the term of the chairman of the Appeals Board.

J. Noble Braden, executive secretary of the American Arbitration Association, will leave New York for Los Angeles tomorrow on a nationwide tour. Braden will return in about six weeks after setting up arbitration offices in 31 cities. The arbitration system itself will start operating between Feb. 1 and Feb. 15.

Metro to Call Dec. Meet On New GWTW Campaign

(Continued from Page 1)

ings probably will be held in Chicago.

It is likely that distribution under the terms of the consent decree also will be considered.

"Dictator" Set in B.A. For Christmas Opening

(Continued from Page 1)

140,000 pesos. Picture is slated to be shown at the Cine Plaza, a 1,060-seat theater. Deals for the picture's opening in other South American cities are pending.

WEDDING BELLS

Albany—Engagement of Harold Sugarman, Albany salesman for UA and Edna Barbara Poe of New York, has been announced. Miss Poe is secretary to Clarence Eisemann, UA branch manager in New York.

Peggy Goldberg, film publicist currently associated with the promotional staff of Regina Crewe, was married in City Hall on Tuesday to Dr. George Blatt, it was learned over the Thanksgiving holiday. Couple embarked on a brief honeymoon with a more extended wedding trip planned for January, probably to Florida.



● ● ● COASTING:.....Many graduates of trade and fan publications.....are to be found active in Hollywood film factories..... B. P. Schulberg, now a producer at Columbia, was associate editor of Film Reports which was published in the interests of independent producers and exhibitors.....Mark Hellinger, who lost no time convincing the Warner freres and the industry at large that he is an able producer is a Zit's alumnus.....as is Sam Marx, who is a producer at M-G-M.....

● ● ● AMONG the early day employees of The Billboard was Henry Ginsberg, one of the top men at Paramount.....and Pete Smith, now with M-G-M, and Watterson Rothacker were other staff members of that publication to gravitate toward old Hollywood.....William A. Johnson, who published the M. P. News, is with 20th-Fox.....while Mike "Six-Syllable" Simmons and Pete Milne, scenarists, are among the alumni of your favorite trade journal.....Arthur W. Eddy is also a graduate of THE FILM DAILY.....and is publicizing radio's "Big Town" program.

● ● ● CONTINUING the count.....Bob Sisk, once with Variety, is among the leading producers at RKO-Radio.....Julian Johnson, an early day editor of Photoplay, is story editor at 20th-Fox.....Norman Krasna, who wrote a column for one of the trade papers, is one of the town's highest paid scenarists and will be co-producer of pictures starring Jean Arthur.....Lesley Mason, who edited Exhibitors Trade Review, is a publicity man for Warner Bros.

● ● ● FURTHERMORE.....Murphy McHenry, the Boswell for Edward Small, worked on the Daily Variety.....John LeRoy Johnston, who pounds the press drum for Walter Wanger, was editor of Amusements, and was also a sports cartoonist on the old St. Paul Daily News.....In fact he was covering an inter-scholastic track meet at the University when this colyum first "met up" with him.....George Blaisdell, who was editor of the M. P. World, is now editor of the American Society of Cinematographers' Magazine.....

● ● ● NOW back to the Atlantic Seaboard:.....Post-Thanks-giving ennuis has no place in the mighty Warner "system".....(we mean H. M. Albert Jack, et al. and not the pignisk patriarch, Pop Warner).....The boys' home office is feteing La Priscilla Lane via a cocktail reception this afternoon in the snooty Hotel Gotham.....with Mort Blumenshtock at the tiller of the party.....Yes, and today another WB event is the opening of the company's film adaptation of W. Somerset Maugham's "The Letter," starring Bette Davis, at the Strand.....which reminds us.....

● ● ● JUST a few days ago.....we ran into Mister Maugham.....and promptly informed him that we were probably his "screwiest" critic....."cause of our enthusiasm for one of his early works, "On a Chinese Screen".....Apropos of our taste, he recounted how a top-flight British literary critic met him on a London thoroughfare not so long ago.....and, raving about an obscure novel which Maugham had written years and years earlier as a student, exploded:....."You know, Maugham, Old Boy, it was so wise of you never to have written anything since!"

"Just Begun to Fight," Declares Max A. Cohen

(Continued from Page 1)

ment of the decree provisions and that he "wasn't licked yet."

Method of procedure against the decree has not been formulated but Cohen indicated that legal machinery would be put into motion as quickly as possible.

Eastern Special to Take WB Party to Santa Fe

Contingents of company execs., players and newspaper men from both East and West Coasts will train to Santa Fe next month for the world premiere of Warners' "Santa Fe Trail."

New York delegation will leave here Dec. 11 by special train and will meet the Hollywood contingent at Lamy, N. M., where the trains will be joined. Santa Fe opening will have a three-day bally, Dec. 13-15.

En route, the New York train will pick up Governors Payne Ratner of Kansas, Leon C. Phillips of Oklahoma, William Lee O'Daniel of Texas, Lloyd C. Stark of Missouri and Ralph Carr of Colorado, while the Pacific train will carry Governor R. T. Jones of Arizona.

Eastman Fair Building Burns

The Eastman Kodak building at the N. Y. World's Fair was gutted by fire Wednesday, only a shell of the structure remaining.

Chateaugay Theater Burns

Chateaugay, N. Y.—The town hall, used by exhib Lafe Quinlan as the Ideal Theater, burned to the ground with a total equipment loss.

TO THE COLORS!

Bert Armm, son of Jack Armm, Columbia salesman in Albany, is at Fort Slocum, preparatory to joining army forces in Puerto Rico. Young Armm enlisted in the coast artillery.

Chicago—Capt. Charles Barron of the Black Horse troop has been called to active service with his outfit, part of the 33rd division, which will train in Tennessee. Capt. Barron is vice-president of the Henri Elman Monogram Exchange.

Fort Worth—Two members of the Interstate Circuit personnel here have volunteered for a year's army training. They are Claude Warren Wilson, doorman at the Majestic Theater, and Thurman Lumpkin, chief of service and student manager at the Palace Theater.

Albuquerque, N. M. — Charles Ortiz, treasurer of the Kimo Theater here for the past six years, has joined the Army Air Corps at Kelly Field.

Widespread Changes In WB Sales Staffs

(Continued from Page 1)

bracing the Atlanta, Charlotte and Memphis exchanges. McCoy will continue to headquarter in Atlanta.

All changes, Sears said, were to meet the requirements of the consent decree which call for close supervision of the sales force and a more closely knit sales organization.

Other promotions and transfers announced by Sears follow:

Sidney Rose, branch manager in Omaha, is promoted to Chicago as exchange head.

Art Anderson, branch manager in Des Moines, is promoted to a similar post in the company's Minneapolis office.

R. H. Dunbar, salesman in Pittsburgh, is promoted to branch manager in Cincinnati replacing Ralph Kinsler who resigned to enter the exhibition field. (These changes were previously published in THE FILM DAILY.)

Elmer Tilton, former Des Moines branch manager, who resigned some time ago to enter business for himself, returns to Warners as branch manager in this exchange.

Tom Gilliam, Chicago branch manager, is transferred to Atlanta, where he succeeds McCoy as branch manager.

C. K. Olson, Minneapolis exchange manager, is transferred to Omaha as branch manager.

Harry Goldman, country salesman in Chicago, is promoted to city salesman in the same office.

Harry Mandell, Chicago booker, is promoted to country salesman.

2nd GWTW Premiere Proceeds to War Relief

Atlanta—Net proceeds of the second world premiere of "Gone With The Wind" which will be held here Dec. 12 at the Loew's Grand Theater will be donated to the British War Relief Society, Atlanta committee, it was announced Wednesday. Tickets will be \$5 apiece.

National Guard Film

West Coast Bureau of THE FILM DAILY
Hollywood—Warner Bros. has engaged Robert Buckner and Robert Hunt to collaborate on the script of a Robert Presnell story dealing with the National Guard, "Captain Ulysses Smith."

Federal Tax Boost To Meet Gov't Cost

Washington Bur., THE FILM DAILY
Washington—Increase in Federal taxes next will be aimed to provide sufficient revenue to balance regular Government expenditures, but not to meet defense costs, it is indicated by Rep. Robert L. Doughton, chairman of the House Ways and Means Committee. No estimate as to total increase is forthcoming.

HUNTING? NOT FOR SHUTTEE!

Standard Theaters Chief to
Stick to Movies

Oklahoma City—Hereafter, Walter B. Shuttee, general manager of Standard Theaters Corp., will seek his excitement at the movies and not on a deer hunting trip in the Kiamichi Mountains.

Because he had never been on a deer hunt, Shuttee gratefully accepted a bid from a friend. There were 10 in the party, including five Tahihina woodsmen, but only one of them saw a buck.

Before Shuttee cashed in his return ticket, he drove 22 miles over mountain roads through a downpour in an ancient truck, fixed two flat tires, walked four miles in the rain and made an emergency trip to Broken Bow, Okla., to buy long underwear and a slicker. Coming home the car in which he was riding was rammed from behind by a reckless driver and Shuttee helped repair the damage in a dense fog.

AGMA Gets Respite In A F of M Conflict

Samuel Seabury, counsel for James C. Petrillo, president of the American Federation of Musicians, agreed on Wednesday that the conditions prevailing in its dispute with the American Guild of Musical Artists before Judge Aron Steuer denied a writ to the AGMA, should continue pending determination of the issues by the Appellate Division.

The stay previously granted to AGMA by Judge Ferdinand Pecora is again in effect, postponing the crisis in the radio and concert world. The case will be heard on Nov. 29, counsel for the two organizations having appeared before Presiding Justice Francis Martin and agreed to present their cases on that date.

GE's Static-less Radio Makes Schenectady Debut

Schenectady—General Electric's started its F. M. static-less radio broadcasting here Wednesday night. The station yesterday began its regular program, which will start at 3 p.m. and run to 10 p.m. seven days in the week. Speakers at the opening of the F. M. broadcasting were Charles W. Wilson, GE prexy; George H. Payne, FCC member; Dr. W. R. G. Baker, manager of GE's radio and tele department, and Robert S. Peare, company's manager of broadcasting.

WB Not Financing B'way Play

It was reported Wednesday night that Warner Bros. had interposed some objections to the agreement with the Dramatists Guild concerning film financing for Broadway stage productions and would not finance "Hot Nocturne."

Spyros Skouras Heads Greek War Relief

(Continued from Page 1)

Building. Van Nomikos, Chicago theater operator, and president of AHEPA, national Greek society, George Skouras, Charles Skouras and other Greeks associated with the film industry have been instrumental along with Spyros Skouras in organizing the relief association. Harold S. Vanderbilt has accepted the post of honorary national chairman.

Benefit performances, midnight shows, screen advertising and numerous other ideas are being mulled over by the association heads as part of their drive for funds. Over 300 local committees will be named throughout the country to help carry out the program.

IATSE Executive Board Eyes 16 mm. Field, Tele

New Orleans—Chief topics before the IATSE executive board here to date have been on the resolutions passed by past meetings concerning the 16 mm. field and television. Object is to organize the 16 mm. commercial field to keep it from going non-union, authoritative sources say, and to study television.

Block and Sork Sue Distrib., Exhibs.

(Continued from Page 1)

the day the decree was confirmed by Federal Judge Henry W. Goddard.

Block and Sork allege discrimination in distribution, ask for treble damages to cover alleged losses through such discrimination, and request an injunction restraining the defendants from continuance of alleged discriminatory practices.

Exhibitor defendants include Comerford Publix, Comerford Amusement Co., George Lessy, operating the Capitol, Reading; David Brodstein, operating the Orpheum, Reading; Wilmer & Vincent, and Jay Emanuel's two firms, East Reading Theater Co., operating the Park, and Rajah Theater Co., operating the Rajah, Reading.

Filing of the suit occasioned no little comment in trade circles here in view of the fact that Sork, a plaintiff, is a member of Allied as are Lessy and Brodstein.

Col. Negotiates for Stars

West Coast Bureau of THE FILM DAILY

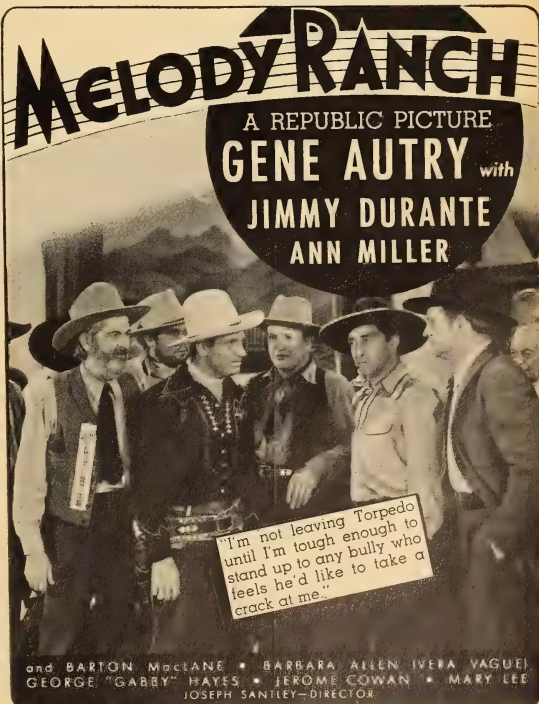
Hollywood—Columbia is negotiating with Fred Astaire and Jimmy Durante to act together in a picture dealing with conscription.

MELODY RANCH

A REPUBLIC PICTURE

GENE AUTRY with JIMMY DURANTE

ANN MILLER



"I'm not leaving Torpedo until I'm tough enough to stand up to any bully who feels he'd like to take a crack at me."

and BARTON MACLANE • BARBARA ALLEN (VEVA VAGUE)
GEORGE "GABBY" HAYES • JEROME COWAN • MARY LEE
JOSEPH SANTLEY-DIRECTOR

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Angels Over Broadway"

with Douglas Fairbanks Jr., Rita Hayworth, Thomas Mitchell, John Qualen
Columbia 80 Mins.

POWERFUL DRAMATIC STORY SPLENDIDLY ACTED BY A FINE CAST AND DEFTLY STAGED.

Audiences generally should like this adult picture; in fact, they should like it a lot. Moreover, Ben Hecht's one-man show, with Hecht getting credit as the producer, writer and director, emerges on the screen as a personal triumph.

Using a limited number of sets and keeping his action confined, Hecht eliminates expensive production costs. However, action and suspense in quantity are contained in the story and effectively transported to the screen via the available backgrounds. The finished product is a neatly molded piece of screen merchandise that is entertaining, effective and readily salable.

Douglas Fairbanks, Jr., cast as a Broadway sharpshooter, has never appeared to better advantage, making the most of his role. Rita Hayworth, given the juicy role of a cafe entertainer out for herself, but still retaining a few ideals, goes to town with it. Miss Hayworth is not only lovely to look at, but a highly capable actress who should stay on the top rung a long time. Thomas Mitchell, cast as a drunken playwright, turns in another of his splendid characterizations. John Qualen, given a fat role as a neurotic and worried business man who has taken money from his firm, is also splendid in his finely drawn characterization. Remainder of the cast is adequate, but the plot and action essentially revolve around the principals and they respond to the demands made upon them with gratifying results.

The plot of the story is comparatively simple, with the drama and effectiveness in the manner of its telling and action. The story is laid in the Aladdin Cafe, a somewhat shady Broadway night spot. Fairbanks is there looking for a sucker to trim; Mitchell is there drowning his sorrows; Qualen is there pondering upon whether or not to commit suicide, and Miss Hayworth is there ready for anything that comes along. Fairbanks enlists her aid to get Qualen in a card game, thinking he has money. Mitchell, leaving, gets Qualen's coat by mistake and discovers a suicide note, and volunteers his help. Net result; Mitchell does his good deed and goes home to his wife; Qualen gets away with enough money to pay off his defalcations as the con-men let him win to draw him on; Fairbanks gets a beating for his part in it, but he gets Miss Hayworth as a reward.

However, it must be repeated that the story is absorbingly told, suspensefully holding audience attention to the final fadeout as the action quickly moves along. Final fadeout will leave an audience with the feeling that everything and everybody in the world can't be wrong. Credit Lee Garmes with a beautiful camera job, giving the atmosphere and background the lighting and shading necessary to make them effective.

CAST: Douglas Fairbanks, Jr., Rita Hay-

"Lady With Red Hair"

with Miriam Hopkins, Claude Rains, Richard Ainley
Warners 81 Mins.

INTERESTING BIOGRAPHICAL STORY IS DRAMATICALLY PRESENTED AND ABLY ACTED.

The story of Mrs. Leslie Carter, and her rise to fame as a star under the aegis of David Belasco has been interestingly presented in this new Warner release. General audience appeal of the film, however, is difficult to prognosticate. Miss Hopkins and Claude Rains are finished performers and have marquee drawing power, the story of Mrs. Carter will undoubtedly be remembered by many and have a nostalgic appeal that recreates a glamorous era, but the picture definitely needs selling.

Somewhat static as most backstage stories usually are, writers Milton Krims and Charles Kenyon still have managed to keep the continuity flowing and the material interesting. Director Kurt Bernhard has deftly guided his players throughout the story and has managed to highlight every climactic point of drama with just the right shading, making the story and people believable. Both Miss Hopkins, as Mrs. Carter, and Claude Rains, as David Belasco, are excellent. A strong supporting cast has been provided, including Laura Hope Crews, Richard Ainley, John Littel, Victor Jory and Mona Barrie, but the parts of the principals overshadow the other members of the cast. Edmund Grainger produced.

Story opens with the Chicago divorce trial and Miss Hopkins' determined vow to become an actress so as to make money fast to continue the fight to regain custody of her child. Her rise to success under Belasco's guidance, her romance, with Ainley, split with Belasco and ultimate reconciliation with him form the plot's skeleton.

CAST: Miriam Hopkins, Claude Rains, Richard Ainley, Laura Hope Crews, Helen Westley, John Littel, Mona Barrie, Victor Jory, Cecil Kellaway, Fritz Leiber, Johnnie Russell, Selmer Jackson.

CREDITS: In charge of production, Jack L. Warner; Associate Producer, Edmund Grainger; Screenplay, Charles Kenyon and Milton Krims; Story, N. Brewster Morse and Norbert Faulkner; Based upon the memoirs of Mrs. Leslie Carter; Cameraman, Arthur Edson; Editor, James Gibbon.

DIRECTION, Deft. PHOTOGRAPHY, Good.

"Sixpence" Rights to Metro

Motion picture rights to W. Somerset Maugham's "The Moon and Sixpence" have been acquired by Metro.

worth, Thomas Mitchell, John Qualen, George Watts, Ralph Theodore, Eddie Foster, Jack Roper, Constance Worth.

CREDITS: Produced, directed and written by Ben Hecht; Associate Producer, Douglas Fairbanks, Jr.; Co-Director and Cameraman, Lee Garmes; Editor, Gene Havlicker.

DIRECTION, Fine. PHOTOGRAPHY, Splendid.

"A Night at Earl Carroll's"

with Ken Murray, Lillian Cornell, J. Carol Naish
Paramount 62 Mins.

(HOLLYWOOD PREVIEW)
THE TITLE TELLS ALL: SHOULD SATISFY ENTERTAINMENT-CRAVING OF AVERAGE AUDIENCES.

Displaying all the glamour of Earl Carroll's "most beautiful girls" his own brand of showmanship, plus his now famous Hollywood Theater-Restaurant as a background, "A Night At Earl Carroll's" becomes just that. It should prove satisfactory entertainment to average audiences.

Ken Murray turns a thankless role into a satisfying performance. Rose Hobart, J. Carol Naish, Russell Hicks offer good support. Brenda and Cobina (Blanche Stewart and Elvia Allman) of radio fame, offer good comedy routine in their continuous manhood. Others in the cast handle their roles to advantage.

Faced with the task of presenting their performance in honor of visiting Mayors, celebrating Hollywood's cleanup of gangsters, complications set in when Earl Naish, gangster head, engineers the kidnapping of the cast and Carroll.

Ken Murray, his press agent, and Rose Hobart, Carroll's assistant, save the day with impromptu acts and presentations until Carroll and his performers release themselves from the gangsters' clutches, make their way back to the Theater-Restaurant and save the day.

Kurt Neumann directed from Lynn Starling's original story and screenplay. Photography by Leo Tover was advantageous. To Earl Carroll goes credit as the producer.

CAST: Ken Murray, Rose Hobart, Blanche Stewart, Elvia Allman, J. Carol Naish, Russell Hicks, Jack Norton, John Laird, Ruth Rogers, Betty McLaughlin, Beryl Wallace, John Harmon, Ray Walker, Billy Gilbert, William Davidson, Forbes Murray, Ralph Emerson, Allan Cavan, George McKay, George Meeker, Mary Lou Cook, Vera Lewis, Florine McKinney, Truman Bradley, Stern Sisters, The Three Normans, Lillian Cornell, Lela Moore.

CREDITS: Producer, Earl Carroll; Director, Kurt Neumann; Original Story and Screenplay, Lynn Starling; Cameraman, Leo Tover, ASC; Art Directors, Hans Dreier and Robert Odell; Editor, Alma Macrorie; Musical Director, Irvin Talbot; Musical Advisor, Troy Sanders.

DIRECTION, Good. PHOTOGRAPHY, Very Good.

Catholic Guild Holds Retreat

Boston—The Motion Picture Catholic Guild holds its semi-annual retreat this week-end at Campion Hall in Andover under supervision of John T. McGrory, S. J. Frank Lydon, Independent Exhibitors, Inc., vice-president, had charge of the arrangements.

"Gold" to Shoot Dec. 9

West Coast Bureau of THE FILM DAILY
Hollywood—James Roosevelt starts production on "Pot o' Gold" Dec. 9.

"Barnyard Follies"

with Mary Lee, Rufe Davis, June Storey
Republic 67 Mins.

(HOLLYWOOD PREVIEW)

GOD-SPEED PACKAGE OF ENTERTAINMENT ALTHOUGH STRICTLY HOKUM AND "CORN."

This is strictly hokum and "corn," but measures up to a good-sized package of entertainment which should please the audiences for which it is designed. It is loaded with peppy entertainers, many of whom are well known to radio listeners throughout the Middle and South West, and furnishes many laughs. Director Frank McDonald has kept the proceedings moving at a nice pace and has blended the story, songs and dances effectively. Armand Schaefer functioned as producer. Dorrell and Stuart McGowan concocted an interesting screenplay, based on a story idea by Robert T. Shannon.

When Harry "Pappy" Cheshire inherits his brother's unprofitable night club, he makes the entertainers, headed by Ralph Bowman, Joan Woodbury and the Kiddoodlers, finish out their contract by rehearsing at his orphanage in the country. Mary Lee, one of the orphans, is a born entertainer and leads the children, who have been well trained as singers and dancers. Mary and Ralph decide to put on an entertainment to pay off the debts facing Cheshire, and they have to overcome many obstacles before they are to stage the show.

CAST: Mary Lee, Rufe Davis, June Storey, Jed Prouty, Victor Kilian, Joan Woodbury, Carl "Alfalfa" Switzer, Robert Homan, Dorothy Harrison, Harry "Pappy" Cheshire, Mary Jane and Carolyn De Zurik, Jim Jeffries, The Kiddoodlers, Ralph Bowman, Isabel Randolph (Mrs. Uppington).

CREDITS: Associate Producer, Armand Schaefer; Director, Frank McDonald; Authors, Dorrell and Stuart McGowan; Screenplay, same; Based on the story idea by Robert T. Shannon; Cameraman, Ernest Miller; Editor, Charles Craft; Musical Director, Cy Feuer; Dance Director, Josephine Earl; Art Director, John Victor Mackay.

DIRECTION, Good. PHOTOGRAPHY, Good.

Alien Registration Shot Going In All Newsreels

A two-minute news shot has been prepared by Warner Bros. featuring Merle Oberon and Charles Boyer in co-operation with the Department of Justice, demonstrating the proper method of alien registration. Insert will be run in every newsreel in the country on Nov. 22.

"Letter" Benefit Preview

A preview of Warners' "The Letter" was held Wednesday for the benefit of the Henry St. Visiting Nursing Service. Print of the picture was donated by Warners, and use of the Beacon Theater, a Skouras house, where the preview was held was donated by the theater chain. About 2,700 persons attended.

MPTOA to File Trust Action vs. Decree?

(Continued from Page 1)

ment promised further action on the part of the groups they represent. William P. Sims, attorney for the MPTOA, stated that he must first confer with Ed Kuykendall, president, before deciding on the steps to be taken by the national exhib. organization.

Sims, terming the situation "novel," said he was of the opinion that a suit might be brought by the MPTOA against the eight majors under the Sherman anti-trust act. The purpose of this suit, he said, would be to restrain enforcement of the decree and to seek an adjudication prohibiting acts of monopoly.

Only actual defendants in the suit such as the "Little Three" would have the right to appeal directly from the decision, Sims said. He therefore did not consider an appeal by the MPTOA to be practicable.

Milton C. Weisman, who represented the ITOA at last week's hearing, stated that he would ask for the right to intervene in the action and that if this right was denied he would prosecute an immediate appeal to the U. S. Circuit Court of Appeals. Weisman predicted that a large number of members of the ITOA would file treble damage suits against the majors under the anti-trust act.

Louis Frohlich, attorney for Columbia, declared that Columbia had decided upon what steps it would take, but would make no announcement for the present. Both Universal and United Artists also withheld comment Wednesday.

Paramount Considering Calling Preferred Stock

(Continued from Page 1)

mately \$14,158,000 of \$100 par, \$5 convertible first preferred stock and \$5,550,000 of \$10 par, 60-cent convertible second preferred stock. First preferred stock is callable at \$100 and the second preferred stock is callable at \$10.

It is reported that part of the fund for the refunding would come from the company's treasury and the remainder from a long-term loan, if the move is decided. Paramount's cash was reported at \$12,000,000 at the end of last year.

REVIEWS OF NEW FILMS

"Texas Terrors"

with Don "Red" Barry, Julie Duncan, Arthur Loft

Republic 57 Mins.
BEST OF BARRY SERIES TO DATE, HAS MEATY STORY AND PLENTIFUL ACTION.

Latest in the western series Republic is producing with Don "Red" Barry, this one also is the best. The story has more meat than is found in most stories of this type and the picture has a plentiful amount of action. The cast is able, the backgrounds okay and the picture moves right along from start to finish.

Barry improves as an actor with each picture, and he shows to advantage in this one. Julie Duncan attractively decorates the film. Arthur Loft and William Ruhl provide the villainy in convincing fashion, and the remainder of the cast, including Al St. John, Sammy McKim, Eddy Waller and Snowflake, are well cast in supporting parts. George Sherman gets credit as the director and associate producer.

McKim, portraying Barry, as a young boy, sees his family murdered by Loft and his gang in order to get control of their gold claim. He makes a promise to his father before he dies that he will not resort to gun play as long as he can fight Loft legally. Returning years later as a lawyer under an assumed name, he takes up the cudgel in behalf of the many miners under Loft's domination. Barry has his hands full, but justice and Barry triumph and Loft gets his just deserts.

CAST: Don "Red" Barry, Julie Duncan, Arthur Loft, Al St. John, Eddy Waller, William Ruhl, Ann Pennington, Sammy McKim, Reed Howe, Robert Fiske, Snowflake, J'm Wakely and his Roughriders.

CREDITS: Associate Producer and Director, George Sherman; Original Screenplay, Doris Schroeder and Anthony Coldway. Cameraman, J. McBurnie; Editor, Tony Martinelli.

DIRECTION, Able. PHOTOGRAPHY, Good.



"Mysterious Doctor Satan"

Republic 18 mins. per ep.
Exciting Serial

Serial fans should be well satisfied with this episodic action release. It starts off with a bang and each episode has a breath-catching climax that will bring the fans back the next week to find out what happened. In addition to the villainous Dr. Satan, portrayed by Eduardo Ciannelli, a masked defender of the law is provided by a character called The Copperhead.

Robert Wilcox appears to advantage in a dual role. William Newell, C. Montague Shaw, Jack Mulhall and an able cast of character players support the principals. Ella Neal provides the feminine interest.

Picture was directed by William their ability as directors in this field. Witney and John English, with the two men once again demonstrating

"Sky Murder"

with Walter Pidgeon, Donald Meek, Karen Verne

Metro 72 Mins.
MELLER WITH MURDER AND ESPIONAGE PLOT SUFFERS FROM WEAK STORY MATERIAL.

Third in the Nick Carter series Metro is producing, this one falls short of its predecessors due to a confusing and obvious plot. Too much feeble comedy relief spoils what might have been tense moments in several sequences, and the comedy falls pretty flat throughout. Theme of the story probably would have been all right if it had been developed on more orthodox lines instead of trying to make it into dime novel farce.

Walter Pidgeon does his suave best to salvage the picture, but it's more than a one man job. Donald Meek and Joyce Compton fail to give the picture the comedy relief that was attempted. Karen Verne is decoratively attractive, and Edward Ashley, Chill Wills, Frank Reicher and George Lessey are helpful. George B. Seitz turns in a competent directing job.

Pidgeon is summoned to Washington by Ashley to meet Lessey, a senator who heads a committee investigating espionage. Pidgeon turns the job down, but gets himself mixed up in the whole thing when two murders are committed on the plane he comes back to New York in. With that as a beginning the plot becomes more confusing and silly as time goes on until Pidgeon finally polishes off the entire espionage crowd, headed by his friend Ashley.

CAST: Walter Pidgeon, Donald Meek, Karen Verne, Edward Ashley, Joyce Compton, Tom Conway, George Lessey, Dorothy Tree, Frank Reicher, Chill Wills, George Watts, Byron Foulger, William Tannen, Milton Parsons, Tom Neal, Lucien Prival.

CREDITS: Producer, Frederick Stephani; Director, George B. Seitz; Original Screenplay, William R. Lipman; Cameraman, Charles Lawton; Editor, G. Ruggiero.

DIRECTION, Competent. PHOTOGRAPHY, Good.



"The Merry Wives"

(Czechoslovakian dialogue, English titles)
Edgar E. Lloyd 80 Mins.

DAILY NEWS: Entertaining study of the 16th Century.

NEW YORK POST: Despite obvious faults, the picture has an ingratiating vigor all its own and three uncommonly good looking girls.

NEW YORK TIMES: On the ribald side and handsomely produced, but choppily put together.

HERALD TRIBUNE: A laggard and confusing historical reconstruction.

NEW YORK SUN: By Hollywood standards, a painfully amateurish piece awkwardly acted, with direction as garbled as its script.

CREDITS: Produced by A. B. Film; Director, Otakar Vavra. PLAYERS: Zdenek Stepanek, Adina Mandlova, Hana Vitova.

UA Expects Tenth Of U. K.'s \$12,000,000

(Continued from Page 1)

was the question of when Great Britain could be expected to release the \$12,000,000 to American distributors for the period of Nov. 1, 1940 to Nov. 1, 1941, it was learned yesterday.

Of this amount United Artists expects to get at least 10 per cent. Of the \$17,500,000 released by Great Britain to American distributors up to Oct. 31, 1940, United Artists received \$1,600,000.

Murray Silverstone was re-elected as top UA executive, it was stated, and has an employment contract which still has two more years to run.

Authentic sources branded as untrue reports published in a New York trade paper (not THE FILM DAILY) that Silverstone made an offer to buy Douglas Fairbanks' interest in United Artists and also stated that the Samuel Goldwyn suit against United Artists is still in status quo and that United Artists itself is not attempting to acquire his interest as part of the suit's settlement. L. J. Schlaifer, Western division sales manager, was not re-elected to the fourth vice-presidency and that office remains vacant. No deal has as yet been closed with Gene Towne and Graham Baker.

Appeals Chairman Was Former U. S. Judge

(Continued from Page 1)

ber of the International Maritime Commission, member of the Association of the Bar of the City of New York, a former president of the Maritime Law Association, and a member of the American Law Institute, the Medieval Academy of America, the American Historical Association, St. Nicholas Society and the Holland Society. His clubs are the Century, Grolier and City Midway.

The Appeals chairman has contributed extensively to law reviews and is the author of several volumes. His law firm has offices at 27 William St., while his residence is at 755 Park Avenue.

Goldwyn Not Planing Trip to South America

West Coast Bureau OF THE FILM DAILY

Hollywood — Despite a published report Samuel Goldwyn does not plan to make a trip at this time to South America to investigate production possibilities at Rio and Buenos Aires.

Mich. Theater Owner Named Lieut.-Gov.

Detroit—Mrs. Mayilda R. Wilson, owner of the Wilson Theater, was named Lieutenant-Governor of Michigan by Governor Luren D. Dickinson, to fill his own unexpired term, which runs out Dec. 31.

Film-ites For Defense

St. John, N. B.—Seven members of local film exchange colony, which comprises New Brunswick, Nova Scotia, Prince Edward Island, Eastern Quebec and Newfoundland, have joined the non-permanent militia for defense duty. They drill two nights a week, plus war games and parades on Saturdays and Sundays. From 20th-Fox are Leslie Kerr, Fred Mann, William R. Steen; from Universal, Walter Rowley, Arthur Heenan and Edward Cox. Sam Kurlinsky, who, with Sam Jacobs, operates Eastern Films, an indie distributor, has been drafted for compulsory army training of one month, following which he will be placed with the non-permanents.

THE BACKLOG OF QUALITY

TODAY—next week—next year—you know
you can depend on each Eastman negative
film to do its special work surpassingly
well. This unvarying reliability—a true
backlog of quality—keeps these films
strongly entrenched as the favorites of the
industry. Eastman Kodak Company,
Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X

for general studio use

SUPER-XX

when little light is available

BACKGROUND-X

for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Building
Remodeling

THE Equipment News DAILY

Equipment
Maintenance

VOL. 78, NO. 101—Second Section

NEW YORK, FRIDAY, NOVEMBER 22, 1940

TEN CENTS

VITASOUND GOES IN ALL WARNER HOUSES New Theaters, Remodeling Show October Gain

**Survey Shows Projects
And Expenditures More
Than in Oct. Last Year**

Both the number of projects and expenditure involved in new theater construction and the remodeling of existing houses showed a gain during October in the U. S. continental territory east of the Rockies, as compared to the corresponding month in 1939, it is disclosed via a survey conducted by film theater architectural firm of John and Drew Eberson.

Figures for the past month show that 68 projects were undertaken in

(Continued on Page 5)

NTS Does Brisk Biz In Southern Areas

Atlanta—National Theater Supply Co. branch here reports recent installations for the following houses:

R. E. Martin's Martin, Andalusia, Ala., a Walker screen, Super Simplex projector, Peerless Magnarc lamps, Alexander Smith Crestwood carpet, and Hertner transverter; Tankersley & Hampton's Royal,

(Continued on Page 7)

GRC Reports Progress; Unicon Ready Shortly

General Register Corp. has shipped to the Beacham Theater, Orlando, Fla., a three-unit Automaticket on an order received from National Theater Supply Co. of Charlotte; also a three-unit Gold Seal was shipped to the Darlton Theater in Pawtucket, R. I., on order received from the Cap-

(Continued on Page 4)

Sure It's Turkey Day —But House'll Open

Chattanooga—Film fans hereabouts, as well as Independent Theaters, Inc., will have something extra to be thankful for on next Thursday, which is Tennessee's Thanksgiving Day. The 600-seat Capitol Theater will open with first-run pictures, plus bringing big-time vaudeville to this city. Theater is one of the 18 in the U. S. equipped with Trans-Lux and is seventh house to be opened by Independent Theaters, of which Abe Solomon is prexy.

Orders for Motors and Generators Lead Sharp Upswing in Electrical Goods Volume

Increases ranging from 15.8 to 51.4 per cent were registered in the electrical goods field in the first nine months of this year, the National Electrical Manufacturers Ass'n declared at mid-week. Orders received for motors and generators for the first nine months accounted for the aforementioned 51.4 per cent figure which was ahead of the like period of 1939 and 34.4 per cent greater than the base period, 1936. The total, however, was still 3.9 per cent behind the 1937 figure.

Sonovox Will Help Films, Says Wright

In the wake of a recent demonstration in the Waldorf-Astoria of his new sound device, Sonovox, its inventor Gilbert Wright, son of the American novelist, Harold Bell Wright, described the development as one which makes sounds talk, or, rather, sounds speak words when used by Sonovox, such as the whistle of a train, or the bell or the roar

(Continued on Page 7)

Gordons Set to Put Up Theater in Newport News

Newport News, Va.—Indian River Amusement Corp. will construct a new and modern second-run theater at 34th St. and Washington Ave. here.

Plans, it is reported, are now in the hands of the architects and construction is expected to commence the first of December.

Officers of the corporation are: Julian Gordon, president; Jerome

(Continued on Page 5)

RCA Moves to Fill Demand for Screen

RCA Mfg. Co., as result of exhibition field acceptance of the new Magic Screen, and the attendant desire of houses in many instances to order this particular type of equipment "sight unseen," has already arranged to increase factory capacity to take care of orders, it is stated by E. C. Cahill, manager of the company's Photophone Division.

He added that advance demand has been such that deliveries have fallen

(Continued on Page 6)

Capitol Supply Busy In N. E. Territory

Boston—K. Forkey has had Mirrophonic sound equipment installed in his Magnet Theater, Dorchester, Mass., by the offices here of Capitol Theater Supply, and G. Pike's Lisbon, Lisbon, N. H., has received this type of sound in addition to Cyclex projector lamps.

Motiograph projectors have been placed by Capitol in Gould's Castle,

(Continued on Page 5)

Acoustic Envelope Developed Makes Effect On Stage Like Small Room

Mid-West Theater Supply Lists 11 Installations

Cincinnati—Sales record of local Mid-West Theater Supply Co. discloses recent equipment orders filled for the Trimble, Mt. Sterling, Va., a Virginia Somerset screen; Glenn, Georgetown, Ky., a Da-Lite screen, two Senarc lamps, two Benwood Linze rectifiers; and for the Ken-

(Continued on Page 6)

First Installations Going Into N. Y. Strand and Two Theaters on West Coast

Coincident with official announcement by Warner Bros. studios that the practical perfection of "Vita-sound," Hollywood's latest improvement of the talking screen, has now been attained, sources close to the company said yesterday that plans have been made to equip Warner theaters as fast as possible with the new sound, and that the first of the circuit's units to install the develop-

(Continued on Page 4)

FPC Buys Properly For \$200,000 Stand

Victoria, B. C.—It was announced here this week that the Famous Players Canadian Corp. have completed purchase of the property on which they will build a new motion picture theater. Plans for the thea-

(Continued on Page 4)

Up-State Houses Are Improved Via Becker

Buffalo—Becker Theater Equipment, Inc., has installed a Motiograph Mirrophonic De Luxe sound system in Dan North's Avondale in North Tonawanda, and an identical system in Otto Gratz's Mexico, Mexico, N. Y., plus a Raytone screen, Motiograph projector, Ashcraft projection lamps, and Baldor rectifiers.

Through the Becker organization, Cammel Theaters' local houses, the

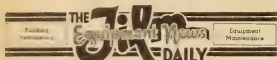
(Continued on Page 7)

Theater Dark Cavity But Dentist'll Fill

Kingwood, W. Va.—Dr. Lewis H. Uring, local dentist who's also a film exhibitor, is reopening his shuttered Pine Theater in Pine Grove, W. Va. New sound and booth equipment have been installed, and as you might expect, the house will be appropriately operated on a "grind" policy. This latter has been established by the good dentist with the hope that it will mean more than the temporary filling of the Pine's auditorium

Describing the "Paul Robeson Technique," which it is called after

(Continued on Page 5)



A Second Section of THE FILM DAILY comprehensively covering the equipment field, published every second Friday, except holidays, by Wild's Films and Film Folk, Inc., 1501 Broadway, New York City. John W. Alcieste, Publisher; Donald M. Meserreau, General Manager; Chester B. Bahn, Editor; George H. Morris, Equipment Editor, West Coast Bureau, 6425 Hollywood Boulevard, Hollywood, Cal., Ralph Wilk, Bureau Chief.

COMING and GOING

WILLIAM A. GEDRIS, president of Ideal Seating, has returned to Grand Rapids for the Thanksgiving holiday, following a business trip to New York.

WALTER E. GREEN, NTS president, has returned to headquarters here from a visit to company's branches in the Mid-West and South.

CLIFFORD SMITH, vice-president in charge of West Coast operations for Epi, has been visiting company headquarters in New York and expects to return shortly to Hollywood.

ROY RUMMEL of Herten Electric Co. returned to Cleveland this week from a visit to New York on company business.

FRED MATTHEWS of Motiograph was in New York this week visiting Joe Hornstein.

KARL BRENKERT of Brenkert Light & Projection Co. left New York on Wednesday for Detroit headquarters.

UDA B. ROSS of Epi, who has been in New York for several weeks from the Far East territory, is expected to leave shortly for further service in company's foreign territories.

DREW EBERSON, of the architectural partnership of John and Drew Eberson, has returned to his desk here from Texas.

A. F. BALDWIN, associated with the sales promotion department of NTS, is back in town from Albany, N. Y.

J. W. SERVICES, of NTS sales promotion department, has returned to New York from the Mid-West.

JOE HORNSTEIN, head of Joe Hornstein, Inc., returned to his desk this week after a visit to Florida.

New Theater Supply Co. in Conn.

New Haven—Certificate of incorporation has been filed in this state by Capitol Theater Supply, Inc. Kenneth R. Douglass and Leon L. Foster of Needham, Mass., who operate the Boston Capitol Theater Supply Co., and Frank M. Gray of West Roxbury, Mass., are named as incorporators. Amount of commencing business is \$1,000 and amount of authorized capital, 500 shares, no par value.

Brotman Receives Permit

Moline, Ill.—Building permit for construction of a 600-seat house in Moline has been issued to M. Brotman & Sons who operate several houses in Moline and Rock Island, Ill., including the Paramount and Roxy in Moline. The house will be located in a two-story building estimated to cost \$30,000 for construction.

NATIONAL
THEATRE SUPPLY COMPANY
NATIONAL
Every State a Local Institution with a
National Reputation for Reliable Service
"GET IT FROM NATIONAL"

Coolidge and Crocker Are Named G-E Officers

Schenectady—Charles E. Wilson, General Electric's president, has announced appointment of Dr. W. D. Coolidge, research laboratory director, and Stuart M. Crocker, manager of the company's refrigeration and air conditioning department at Bloomfield, N. J., as vice-presidents.

Dr. Coolidge has been on the research laboratory staff since 1905 and a director since 1932. Mr. Crocker was appointed manager of the Bloomfield department in 1939, and has been a vice-president of International General Electric Co. for 10 years.

Dividend Rise Is Voted To G-E's Stockholders

A dividend of 80 cents a common share has been declared by directors of General Electric Co. The disbursement is payable Dec. 20 to stockholders of record Nov. 22. The company previously paid 35 cents on Oct. 25.

The payment of 80 cents for the fourth quarter, together with \$1.05 a share for the first nine months, makes a total of \$1.85 a share for 1940, compared with \$1.40 in 1939.

Knowlton Gets Contract

Norwalk, O.—Contract has been awarded the C. L. Knowlton Co. of Bowling Green, O., for the construction here of a one-story and balcony theater building, 66 x 172, brick steel and concrete, at an estimated cost of \$150,000. New theater is owned by the Norwalk Theater Corp., a subsidiary of the Schine Enterprises, Gloversville, N. Y. Work will be started on the new movie house immediately.

Purchases Walker Screen

Louisville, Ky.—The Fourth Avenue Amusement Co. has purchased a new Walker Plastic Molded Screen for the Strand Theater here.

Flater Chooses Royal Chrome

Spencer, Ind.—Claude L. Flater, operator of the Tivoli Theater here has refurnished his lobby with Royal Chrome furniture.

Automaticket for Pantheon

Vincennes, Ind.—Adler Lyons, operator of the Pantheon Theater here has installed an Automaticket register.

Conrad House Underway

Wichita—R. E. Conrad, who formerly operated the Ritz, Burlingame, Kan., is building a new theater in this city.

Heard Improves Palace

Farmerville, La.—J. M. Heard, operator of five Louisiana theaters, is modernizing his Palace here.

Johnson's Vogue Opens As Film Folks Assist

Friend, Neb.—Wally Johnson's new Vogue Theater, a 252-seat house, opened last week in bitter cold to a full house. It was designed by Architect Gus Marishka, Dorchester, Neb., and material was furnished by Frank Van Husan's Western Theater Supply, of Omaha.

Program for the opening included the presence and spoken word from such filmites as Leon Mendelson, Warners; Ike Rubin, of Paramount; Otto Siegel and Bill Flynn, of Universal; and Barney Oldfield, film editor of the Lincoln, Neb., Sunday Journal and Star.

Many Orders Call for Ashcraft Projection

Demand for Ashcraft projection lamps in all sections of the country is exemplified by the large number which have been purchased recently by houses in New York State.

Kallet Theater, Inc., are using this type of lamp in order to present highly effective screen images, as are other exhibition outlets including those owned and operated by the Basil Brothers, Morris Slotnick, B. A. Indersbitzen, A. Francis, and others.

Bigelow-Sanford Status

Income account of Bigelow-Sanford Carpet Co., Inc., for nine months ended Sept. 23, 1940, follows: Net sales 19,347,723; costs and expenses 16,974,070; operating profit \$2,373,653; other income \$8,254; total income \$2,381,907; depreciation \$604,770; interest, etc. \$28,367; Federal income taxes \$450,000; net profit \$1,298,770; preferred dividends \$118,813; common dividends \$627,218, surplus \$552,739.

New House For Greenville

Greenville, Miss.—The Lake Theater, capacity 400, a new local movie house now under construction, is scheduled to open Dec. 1. The new house is located on the site of the old Bijou. The seating of the house will offer a local innovation in the "love seats," one and a half times the normal size, scattered through the house.

1000-Seater For Dayton

Cincinnati—Maury White and Nick Schaefer, United Theaters, are erecting a new 1,000-seat theater, to be called the Duvue, Salem Ave., Dayton, O.

Launch 500-Seat Clark

Winchester, Ky.—Doris Meyer and Harry Schwartz have opened their new 500-seat theater here called the Clark.

Smith Breaks Ground

Cincinnati—Pete Smith, operator of the Sylvia, Dayton, Ky., has broken ground for a new theater in the same neighborhood.

PLAIN TALK

... about equipment

By GEORGE H. MORRIS

Equipment Editor, THE FILM DAILY

SOME sage once said that a good opportunity is seldom presented,—and is easily lost. It appears that today is a good opportunity for theatermen to build new houses as well as to improve existing ones. To delay is to court opportunity's easy loss. At least that's the way that a lot of astute circuit and individual theater operators feel about it. Their convictions must rest on some sort of logical foundations.

Not the least of the cornerstones seems to be the consciousness that an era of increased public buying power has already set in, and that this ability to purchase is very likely to grow to even more substantial proportions. In the case of the vast majority of American families you will find the item of entertainment in their expenditures,—and it's a matter of record that the entertainment item most generally includes movies.

IN our domestic pastures, theatermen are learning that it's an ill wind that doesn't blow somebody good. That somebody is the domestic theaterman operating his interests in the continental U. S. exclusively. The ill wind of war on foreign strands is wafting him benefits. He experiences the good effects of the entire motion picture business here at home working in unprecedented style and union to make the domestic mart produce the absolute maximum revenue. In this task, the public psychology is a valuable ally, because a mind disturbed is a mind ripe for "escape," and there is no more attractive means of escape than the film theater program.

Conditions now are significantly ripe for the domestic theaterman to improve his holdings,—be it a circuit or one house. Investment now in new construction or remodeling is no more move for present-day profits. Even more than that, it's the road to revenue year after year.

Nicholas M. Schenck once said: "There is nothing wrong with this industry that good pictures won't cure." It is only to strengthen that statement that we interpose: "and good theaters."

GOOD times present the opportunity to create good theaters. The natural query is: "Are times now good?" Well, after all, the two elements which determine prosperity in the exhibition field (aside from the active factor of the field itself) are power of product and power of the public to purchase. Only one index is needed, we think, to tell the story both ways, and that is the financial situation of big film producing companies. Their income and money position reflect mass entertainment purchase, and the power of product to cause mass purchase. So, we refer you to the expanding health of such organizations as Paramount, Loew's-Metro, Universal, 20th-Fox (which you should observe wrote off some \$2,200,000 for reserve against foreign assets), and Columbia (which turned a loss into a profit),—to name a few.

On this, and a mass of other strong evidence, it is logical to conclude that now there exists a good opportunity to build and remodel. It must not be easily,—carelessly lost.

THEY'RE ALL TALKING ABOUT THE "One Kilowatt" ARC!



THEATRE OWNERS SAY:

"Those new 'One Kilowatt' arcs are the best investment I ever made. The box office figures show it. Fifty per cent more screen light, comfortable vision at all times, and color that is really *natural* — I tell you, people notice those things. No theatre in town puts on a better show than mine. But you'd be surprised how little it cost."



PROJECTIONISTS SAY:

"We projectionists try to put the best possible picture on the screen. That's our job. But it takes snow white, high intensity light to do it. These new 'One Kilowatt' high intensity arcs give us small theatre projectionists a break. Better black and white projection — tops for color — as cheap to run as low intensity — Boss, they've got what it takes!"



PATRONS SAY:

"Your pictures are a lot better since you put in those new lamps you were telling me about. Mary and I were saying they are as good as we've seen in any theater. That color feature was as natural as life but what I like most is finding a seat without playing 'blindman's buff.' Believe me, we're steady patrons now."

THE NEW
"ONE KILOWATT" ARCS
USE "NATIONAL,"
"SUPREX" AND
"OROTIP" CARBONS

CARBON ARC PROJECTION LAMPS
ARE OPERATED AT A SAFE VOLTAGE.
THEY ARE STURDY AND DURABLE AND ARE
NOT COMPLICATED BY WATER COOLING

The words "National," "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC.

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FPC Buys Property For \$200,000 Stand

(Continued from Page 1)

ter are now being prepared and it is expected that construction work will commence before the end of the year.

The theater will be in the center of the business district here and will cost approximately \$200,000.

The Famous Players Corp. operate the Capitol, Dominion and Atlas here but they feel that this city is entitled to one of the most modern structures. According to the announcement the theater will be the most modern in Canada.

GRC Reports Progress; Unicon Ready Shortly

(Continued from Page 1)

itol Theater Supply Co. of Boston.

E. Williams, assistant sales manager for GRC, states that business is brisk currently, and that while the film industry is still the mainstay as a source of orders, his organization is doing a great deal of missionary work with some gratifying results in roller skating rinks, dance halls, and in general, all places where tickets are sold.

One thing keeping the company particularly busy, it is said, is the development and planning of the new Unicon Cash Control System, details of which are expected to be announced soon.

Open Clark In Winchester

Winchester, Ky.—Harry Schwartz and George B. Myers have opened their new Clark Theater here.

Lighting Equipment

Rentals:

A full line of modern equipment together with a staff of trained men to handle any job large or small any time, anywhere. Generator trucks, searchlights and floodlights, for premises and general lighting activities.

Sales:

Everything in the line of equipment for motion picture and photographic studios.

Service:

We are prepared to offer the finest service, equipment and technical advice obtainable in the East. Your requirements taken care of to the last minute detail.

Sole Eastern Distributors of equipment manufactured by:

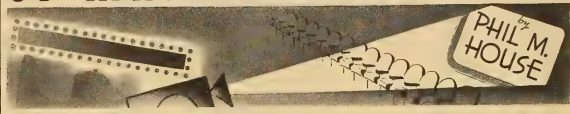
Mole-Richardson Co.

HOLLYWOOD, CALIFORNIA

CHARLES ROSS Inc.

244-50 West 49th Street New York City
Tel. Circle 6-5470-1-2

OF MATERIAL INTEREST



• • • WELL, the boys out at B. F. Goodrich in Akron, where lots and lots of sponge rubber is made for seats of modern film theater chairs, have as their latest task the production on a large scale of a new type of self-sealing rubber fuel tank for combat airplanes. . . . Walter E. Green's legions at National Theater Supply are justly proud of the fact that Walt Disney's "Fantasia" opened its current run at the Broadway Theater with Simplex E-7 Projectors and the new Peerless Hy-Candescent Lamps in the booth,—installed by the N. Y. Branch of NTS,—and resulting in brilliance and perfect steadiness of the image on the screen. . . . Doff of the chapeau to H. J. Thompson (he operates houses in Clearfield, Bellefonte, Coalport and Curwensville, Pa.) 'cause the new theater being constructed by the community of Stoneboro, Pa., and now nearly completed, is to be turned over to him to operate. . . . Progressive Peter Perakos, owner of the Palace in Hartford, is doing an outstanding job of showing how successfully Diesel engines can be used in pic theaters. . . . Dan Markiwitz is preparing plans for a new theater in Los Catos, Calif., and Charley Peterson is doing ditto for a new one in California's Centerville. . . .

• • • YEZZIR, the gents who 'tended the Chi. convention of the Outdoor Advertising Association at the Drake this past weekend probably got home in time for yesterday's turkey gobbling (if not, wot 't' hell, there's another Thanksgiving next Thursday!) . . . Speaking of Chi., Fred Fulle has shifted over from the Claude Neon camp to join Federal Electric as manager of the latter's New York branch offices. . . . Note to Showman Mitchell down Elkin, N. C., way: Dear Lou, how 'bout selectin' a name for your new theater there,—or d'ya want us to do it? . . . Frank Cahill is sure 'thusiastic about that new WB "Vitasound" . . . Like the proverbial daddy who's enchanted by the toy electric train, Les Miller is intrigued by the RCA sound system he got recently for his Palace in Couetta, Okla. . . . Alf Cortina is putting 12 G's on the line to improve his 1,000-seater, Maxim, in Havana. . . .

• • • DOLLARS to doughnuts is our wager that already some wisecracker has hurled at W. O. Kemp (who's bought for his Victory in Poteau, Okla., 300 new Heywood-Wakefield chairs) that mouldy comment: "Pretty soft!" . . . Out of Rochester, N. Y., waits word that Craig P. Cochrane, Eastman Kodak industrial relations manager, has been named by the mayor to the Local Defense Council and will have as big duty the coordination of various defense activities. . . . Dick Beck is building a new theater at 66 West Madison Ave., Chicago, to replace his "Past Time," and we note that Dick is calling it the "Beck" at the present time. . . . J. A. Tanney, proxy of S.O.S. Cinema Supply Corp. of New York, says marked interest is being shown by customers and prospects in the five new bulletins recently issued describing Inverse Feedback theater amplifiers, Imperial 16 mm. sound-on-film projectors, Simplex replacement parts, Powers replacement parts, and Multi-Cell Horn systems. . . . H. O. Davis, who carries on a 100 per cent motion picture and projection service in Oklahoma City, has outfitted Central High there, and the State University in Norman, Okla., with Ampro equipment. . . .

All Warner Houses Will Get Vitasound

(Continued from Page 1)

ment will be its Hollywood and Downtown Theaters in Los Angeles, and the Strand in New York.

Warner home office channels expressed enthusiasm over the potentialities of "Vitasound" as a long step forward in the enjoyment of talking pictures which the organization pioneered as originators of the Vitaphone process.

First picture recorded with the new control system, standardization of which has already been sought from the Academy of Motion Picture Arts and Sciences, is Warners' "Sante Fe Trail," set to world premiere Dec. 14 in Sante Fe, N. M. Warner officials in New York assert they expect the film to move into the New York Strand just before Christmas, and that this house will be ready mechanically to accommodate the attraction by that time.

Developed in the Warner laboratories during the past five years, with the co-operation of RCA engineers, the new sound process represents improvements in both recording and projection techniques. It is claimed by interested experts to offer completely faithful reproduction of original sounds without violent and expensive changes in theater or studio equipment, and to give an audience the benefit of every shade of tone and volume found in the original sound.

Vitasound, it is said, provides more realistic reproduction of all the voices and sounds that go into a picture. It does that without upsetting long established theater practices and without antiquating all the theater and studio equipment in the industry. It is said to be neither too complicated nor too expensive for general use.

A second sound track on the release print regulates sound control and makes possible startling improvement in results in the theater. About the only added expense involved is a \$40 attachment on printing machines and a probable \$1,500 investment for additional amplifiers and horns in the theater.

Warner Bros. sound engineers have been experimenting with Vitasound since 1935 when a new and improved recording and reproduction method was developed for the company's pictures. A few theaters were equipped with additional amplifiers at that time.

Arrington Acquires Rex

Windfall, Ind.—The Rex Theater is now operated by T. J. Arrington, formerly of Illinois. He acquired the house from John Cooper, who is retiring from the theater business.

Settos Names It Ohio

Louisville—George Settos is building a 978-seater in Louisville, and will be named the Ohio.

Building Projects Gain in October

(Continued from Page 1)

new construction and alteration, and the recorded investment amount to \$1,571,000, as against 61 projects entailing a cost of \$1,034,000 in October, 1939.

Net rise of \$537,000 reflects the current impetus theater building and structural improvements have reached, and it is probable that before the present year is over the building investment mark, as well as the quantity of projects, will have matched, or nearly so, the 1939 totals of 1939.

This is indicated by the fact that in the first 10 months of 1939, 676 projects were reported, for which an estimated \$19,026,000 was spent. During the corresponding span of 1940, some \$18,496,000 was spent on 667 projects, but, it is pointed out, more new houses and more remodeling are looked for from now through Dec. 31 than was the case in the final two months of last year.

Sudekum's Crescent Will Add House in Decatur

Decatur, Ala.—Tony Sudekum of Nashville, president of Crescent Amusement Co., announces through G. P. Banniza, Princess Theater manager, a new 700-seater to be built here for opening Jan. 1.

Princess Theater, member of the Crescent chain, will be given a \$35,000 remodeling immediately following opening of the Banks St. playhouse. A. R. Frahn of Decatur is architect for both.

Rialto Is Renovating

Bridgeport—Rialto Theater is now closed and undergoing complete renovation, including new doors, concrete floors, new equipment, furnishings, and decoration. American Seating has the chair contract. Jack Halprin is contractor for Strand Amusement Co., which will also renovate the 752-seat Strand-Palace at the completion of the Rialto.

Lauch New Lincoln

Stanford, O.—O. H. Behlen, H. C. Congleton and R. L. Castillo, comprising the Lincoln Theater Co., have begun construction of the New Lincoln Theater here, on the spot occupied by the old "Red Brick" more than 100 years. The new theater will seat 675. Stewart & Stewart, Cincinnati architects, designed the structure.

Behlan Improves Park

Nicholsville, Ky.—New lamps and rectifiers have been installed by Charles H. Behlan in his Park Theater here.

Luna Buys Generator

Louisville — The Fourth Avenue Amusement Co. reports a new generator has been installed in the Luna, Lafayette, Ind.

Guess Who!—But Right Or Wrong A Swell New Picture Theater Will Go Up In Montreal

Montreal—Evidently censorship and the don't-tell-a-scul fever in wartime Canada is becoming second nature. Witness: A new \$45,000 film theater, seating 800, will be constructed in the north end of this city, but the architects won't disclose the identity of the owner. It'll be a fireproof structure, similar to that being built in Notre Dame de Grace. Architects' plans specify a modern, suburban type house equipped with the latest improvements in sound apparatus which involves new principles in acoustical construction. Drawings are on the stadium plan, and include a parabolic reverse floor slope. Construction will be brick and concrete. Air conditioning will prevail throughout the building.

Battisti Decorating New Loew's American

Edoardo G. Battisti, of Battisti Studios, reports progress in the painting and decorating of the Eberson-designed theater is the new Metropolitan Life development in the Bronx. House has been tentatively known as the Park Chester, but has now been permanently christened Loew's American.

The Battisti staff is now finishing the Wallach Theater designed by Thomas Lamb. Recently the Lyceum Theater here was completely redecorated and painted by Battisti Studios for the account of Sam Harris and his associates. This theater presents an excellent color scheme of gray, rose and gold.

Will Order U. S. Equipment For New Panama House

Panama City (By Air Mail)—New \$60,000 film theater will be erected here, construction starting in December. American equipment will be ordered.

B & K In Re-seating Drive

Chicago—Balaban & Katz are completing plans for re-seating their Loop Roosevelt Theater with 1,500 B & K De Luxe seats. This will make the third major seat job of the circuit during recent months. The other two were the replacement of 3,300 seats at their ace Chicago Theater and 3,100 seats for their South Side de luxer, Tivoli Theater. Plans for re-seating other houses are under survey. International Seating Co. built the seats from B & K specifications.

Glass Co. Declares Dividend

Libbey-Owens-Ford Glass Co. has announced a dividend of \$2, payable Dec. 16 to stock of record Nov. 29. This will bring payments for this year to \$3.50, dividends of 50 cents each having been paid in the three preceding quarters. In 1939, the company paid dividends amounting to \$2.75.

Air Conditioned By GE

New Haven—Bailey Bros.' new 732-seat Westville has a General Electric giant year-round air-conditioning system.

Brighten The Luverne

Luverne, Ala.—The Luverne Theater is being redecorated throughout.

Capitol Supply Busy In N. E. Territory

(Continued from Page 1)

Providence, and in the Gould and Snider Majestic in West Springfield, Mass. Latter house has also received Ideal chairs, drapes, a Da-Lite screen, Ashcraft projection lamps, and Alexander Smith fluorescent carpet.

Other recent Capitol-filled orders are a Da-Lite screen, Brenkert projector and projection lamps, Alexander Smith Carpet and Robin Imperial transverters for Currie & Harmon's Darlton, Pawtucket, R. I.; drapes, a Da-Lite screen, Simplex projector, Cyclex projection lamps, Alexander Smith carpet, and Knitron transverters for Ben Gold's Park, Nashua, N. H.; Ideal chairs, drapes, Da-Lite screen, and Simplex projector for H. Lamere's Pa-ra-mo, Ludlow, Vt.; and Ideal chairs for Avery's Key, Meredith, N. H.

Acoustic Envelope, New Sound Control

(Continued from Page 1)

the Negro actor and singer who is said to have discovered it, Dr. Burris-Meyer declared.

"The phenomenon is familiar to all who have indulged in the popular American pastime of singing in the bath."

Dr. Burris-Meyer, who outlined the new technique before the convention of the Acoustical Society of America, hailed it as eliminating many of the artist's woes such as tension, inability to relax, a feeling of being ill at ease, low vocal efficiency and voice-forcing to get more volume. The technique had no effect on the sound as the audience heard it, Dr. Burris-Meyer said.

Gordons Set to Put Up Theater in Newport News

(Continued from Page 1)

Gordon, vice-president; Leonard Gordon, secretary-treasurer; and Mrs. Bertha Gordon, chairman of the board.

This organization now operates the Palace Theater, opened after rebuilding last March, and the Wythe Theater, a nabe house opened in October, 1939. The Palace has been operated by this company since 1917.



"CHRISTMAS IN JULY"

Give your patrons a Christmas present they'll be grateful for all the year and for years to come . . . Alexander Smith Carpet, the floor covering you'll find in most of the country's successful theaters.

ALEXANDER SMITH CARPET

Manos Clears Path For \$125,000 House

Greensburg, Pa. — The Manos Amusement Co., whose headquarters are located here, through its president, Michael Manos, has just announced that after months of negotiations plans have been completed for the erection of a new theater in Uniontown, Pa., to cost approximately \$125,000 and which will have a seating capacity of 1,076, orchestra 710 and balcony 368 seats. The architect is Victor Rigmont.

Work on this house is to start Dec. 1 and it is to be completed by Feb. 15. Theater will be constructed along the most modern lines, with the very latest in sound equipment, furnishings, fixtures, etc., including a cooling system, and one of its special features will be a complete, fully equipped stage for plays and roadshows.

Manos is one of the oldest and most progressive showmen in the business, having started here when movies were in their infancy. He sold his first chain of theaters to Warners when they came into the Western Pennsylvania territory, and for several years thereafter occupied an executive position with them. About five years ago he again branched out for himself and since that time has acquired a new circuit of 12 houses in the territory.

Incorporate Drive-In

Lakeland, Fla.—Gulf Drive-In Theater, Inc., of this city, has been chartered by Secretary of State Gray with an authorized capital of 100 shares, no par. J. M. McNatt, C. G. Ashby and H. L. Nadeau were listed as the incorporators.

Cooke Has New Venture

Winnemucca, Nev.—William G. Cooke, for several years operator of the Redwood in Gaberville, Cal., has sold the house and is building another in this town.

Desormeaux Remodeling

Madison, Wis.—Arthur Desormeaux's Majestic will complete shortly a new porcelain front and four-line marquee for his Majestic here.

LIBERMAN

FLAG AND VALANCE CO.

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WHO'S WHO IN EQUIPMENT

WALTER E. GREEN. Born in Orange, N. J., Aug. 13, 1889,—son of Harvey H. and Mary E. Green. Educated in grammar schools there and entered business career in 1909 as a clerk in Thomas A. Edison, Inc., Kinograph department, and in 1913 designated assistant manager of the company's activities aimed at promoting sales of films and projectors. Subsequently held posts with General Film Co. and Mutual Film Co., acting as purchasing agent for latter. In 1915 became general manager for Kleine Optical Co., his first experience in



theater supply business since organization had extensive line of equipment which it marketed to film houses. Klein Optical was later taken over by United Theaters Equipment Co., in whose general offices in New York he served as assistant to the president. Joined Precision Machine Co., 1917, manufacturers of Simplex projectors. In 1925 that organization was merged into International Projector Corp. and Green was named latter's vice-president, remaining in office until 1928 when he became president of National Theater Supply Co., wholly-owned subsidiary of General Theaters Equipment Corp., and was made a vice-president of GTE. In addition to his post as NTS president, he is a director of the company.

Mid-West Theater Supply Lists 11 Installations

(Continued from Page 1)

tucky, Somerset, Ky., Senarc lamps and Benwood Linze rectifiers. These are Elliott & Ward houses.

Other orders included those for William Gerver's Fairview, Cincinnati, Senarc lamps and an Imperial generator; Mrs. Semelroth's Sigma and Federation, Dayton, Senarc lamps, Baldor rectifiers, and Sigma-International chairs; and for the Orpheum Operating Co.'s Orpheum, Cincinnati, and Dr. Kolb's Norwood and H. Burnstein's Palaza, both in Norwood, International chairs. A third Norwood house, W. Vance's Ohio, ordered Senarc lamps and Benwood Linze rectifiers.

Company has installed RCA sound, Benkert projectors and lamps, and Benwood Linze rectifiers in the headquarters of the Ohio State Censor Board, Columbus.

Contract Let Says Lynch

Coral Gables, Fla.—S. A. Lynch, president of Paramount Enterprises, Inc., says that contract has finally been let for the construction of a 1,000-seat de luxe theater in Coral Gables. Robert Law Weed and Edwin T. Reeder are the architects. The Fred Howland Construction Co. has been awarded building contract. It will be air conditioned and contain the latest in every type of theater furnishings and equipment.

Miller Turns to Pix

Louisville—W. E. Carrell of Falls City Theater Equipment Co. here has just sold equipment for a theater to be opened in the school building at East Bernstadt, Ky., to be operated by R. C. Miller, school superintendent.

Wentzel Bets Projection

Louisville—J. M. Wentzel has installed new projectors, screen and lens in his Norman Theater here.

Westinghouse Pay Up 9% Under Bonus Plan

Pittsburgh—Wages and salaries of employees of the Westinghouse Electric & Manufacturing Co. will be adjusted upward 9 per cent this month in accordance with the wage and salary plan under which the compensation is established each month in proportion to the average earnings in the preceding three months. The bonus in October was 10 per cent.

The net profit of Westinghouse Electric for the three months to Oct. 31 was \$4,402,412, compared with \$3,321,022 in the three months ended on Oct. 31, 1939. For the first 10 months of this year the company had an indicated net profit of \$15,994,860, equal to \$5.98 a share on the combined preferred and common shares, compared with \$10,433,650, or \$3.90 a combined share, in the first 10 months of 1939.

Who Wants the Biz?

Washington Bureau of THE FILM DAILY

Washington—The Commerce Department reports that there is an opportunity for a sale of projectors and reflectors, theatrical and cinematographic, 30 to 50 units, first quality, to an individual in Zurich, Switzerland. Any person or firm interested can obtain complete details by writing to the Bureau of Foreign and Domestic Commerce. The reference number is 440.

White-Schaeffer to Build

Dayton, O.—Mauri White and Nick Schaeffer, Cincinnati indie operators, are planning to build in suburban Dayton View, the new 900-seater to be called the Daview. The F & Y Theater Division, Columbus, has been commissioned to design the house.

New Seats for Midway

Detroit—American Seating Co. is installing new seats in the Midway Theater at Dearborn for Joseph Stola.

RCA Moves to Fill Demand for Screen

(Continued from Page 1)

somewhat behind, and labeled the screen as "one of the outstanding advances in the motion picture equipment business in many years," designed as it is to obtain maximum efficiency in both light reflection and sound transmission characteristics through the employment of entirely new principles.

Cahill points out that the screen has a plasticized surface, made up of a specially treated fiber pulp, on cloth backing. Years of research and experimentation have gone into determining the number and size of the perforations. As a result sound passes through the screen with maximum efficiency, yet light reflecting and picture detail qualities are outstanding.

Tests indicate, he says, that the Magic Screen's light reflection and sound transmission characteristics are superior to any other type of screen now available. Each Magic Screen is guaranteed to surpass the SMPTE standard for sound transmission.

The smooth surface resists dust accumulation, hence stays clean longer; surface is barren of aluminum, titanium, zinc, or other pigments, and incorporates none of the chemically unstable or highly evaporative compounds commonly used to treat ordinary screen surfaces, and thus it is unaffected by evaporation, and does not discolor or shed due to chemical reactions caused by atmospheric gasses or moisture. Cahill asserts.

May Remodel Merrick

The Century Circuit is contemplating closing the Merrick Theater in Jamaica, L. I., for a major remodeling operation, including the installation of the latest type air conditioning. Sketches for the entire job are being prepared by John and Drew Eberson, film theater architects.

Rialto Now Open

Bridgeport—Change in floor plans delayed opening date of the Strand Amusement Rialto, completely renovated, until Nov. 14. American Seating installed the chairs and National Theater Supply booth equipment. The entire house was modernized.

Get Fabian Contract

Albany, N. Y.—Marinello & Stanoko of this city have been awarded foundation contract for the new Co-hoes, N. Y., Theater, which is to be erected by the Fabian interests. John and Drew Eberson, of New York City, are architects for the house.

Golder Gets Job

Philadelphia—Golder Theater Construction Co. of this city have been awarded contract for building the new Colonial Theater in Livingston, N. J. The architects are John and Drew Eberson.

NTS Does Brisk Biz In Southern Areas

(Continued from Page 1)

Summerville, Ga., a Walker screen, Super Simplex projector, draperies, Neumade booth equipment, and National Theater cooling equipment; S. Miller's Peachtree, Atlanta, Simplex A sound, Molded Walker screen, Super Simplex projector, Peerless lamps, Crestwood Carpet, and Hertner transverter; Sparks' Florida, Tallahassee, Walker screen, Simplex E-7 projector, Peerless Magnarc lamps, Hertner transverter; Dixie Amusement Co.'s Ritz, Toccoa, Ga., Super Simplex projector; and Carrollton Theater Co.'s Carroll, Simplex A sound, Super Simplex pedestals and Crestwood carpet.

The new Charles Theater, Montgomery, Ala., opened this month with complete equipment furnished by NTS, with exception of chairs. Order included E-7 Simplex projectors, Magnarc lamps, Hertner transverter, Simplex B-30 sound, Cinephor B & L F-2 lenses, Walker Molded screen, both Crestwood and Fluorescent carpet, National Sirocco cooling equipment and other items.

Up-State Houses Are Improved Via Becker

(Continued from Page 1)

Colonial and Unity, have received Bigelow Delwood carpet; Byron A. Interbitzen's Central Park here, International Challenger chairs, Ashcraft projection lamps and Baldor rectifiers; and Basil Bros.' Jefferson, Buffalo, A. Francis' Commodore, also in this city, and Morris Slotnick's Sodus, Sodus, N. Y., and the Kallet Theaters' Madison in Oneida, have received Ashcraft projection lamps.

Present New Flasher

Springfield, Ill. — The Sangamo Electric Co. here is offering the theater sign trade a new high voltage neon flasher. The flasher has an exceptional wide range of speed adjustment, one-piece porcelain top, compact design and permanent lubrication.

Westinghouse Probes Precipitron

Chicago — Westinghouse research engineers are making experiments with the use of Precipitron in the ventilation of theaters. They say each installation reduces cleaning and redecorating costs which are a heavy item for the average theater owner.

Sola Lamp Ballast Set

Chicago — The Sola Electric Co., 2525 Clybourn Ave., are introducing a new two lamp ballast for their two 40-watt fluorescent lamps. The new lamp ballast unit is easy to install and requires restricted area for the wiring channels, it is claimed.

Step Right Up To Reservation Window, Folks— And Buy Tickets To See The "Scalpers"!

It sounds a bit screwy, but that's what is done down Miami way. People wishing to see the Mussa Isle Indian Village there must get their pasteboards at the entrance. To get away from the outmoded method of vending tickets from a loose roll, the management of the Village decided to go thoroughly modern and efficient,—so an order was placed for a nifty ticket vending machine, which was promptly delivered by General Register Corp., manufacturers of cash control systems.

Southwestern Equip. Supplies Tex. Houses

Houston — Ten Texas houses are listed by Southwestern Theater Equipment Co. as having recently received shipments for their improvement.

Ezell & Underwood's Drive-In, San Antonio, Brenkert projector and lamps; J. G. Long's Capitol, Palacios, an RCA screen, Brenkert projection lamps, Mohawk carpet; Jefferson Amusement's Bengal, Orange, a Da-Lite screen and Mohawk carpet; latter circuit's Tivoli, Beaumont, and Lynn, Marshall, Da-Lite screens and Mohawk carpet; Interstate's Aztec, San Antonio, Roth electrical equipment; F. W. McManus' Isle, Galveston, a Da-Lite screen, Brenkert projection lamps and Mohawk carpet; Texas Consolidated's Rex, Mercedes, and Gem, Weslaco, Da-Lite screens; and F. Torres' Mexico, Beeville, an RCA screen and Brenkert projection lamps.

Bids Being Received For New Detroit House

Detroit — Bennett & Straight, theatrical architects, have completed plans and are receiving bids on a new 2,200-seat theater to be erected at Schaefer and Warren Roads for the Circle-Midway Theater Co., headed by Joseph Stoa, present owner of two houses. New house will be called the Forum.

Project will cost \$300,000, and will include ten stores. Unique feature of the development will be provisions of parking space for 1,000 cars, or one for every two seats in the house. Site covers 6½ acres.

WORLD'S FAIR SURPLUS!

125 Ticket Receptacles \$6.95

- Chrome Rolled Rim Top with Plate Glass Sides and Baffles
- Cylinder Locking Compartment
- Heavy Steel Streamlined Construction

Original Cost \$50—NOW \$6.95

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1501 Broadway,
N. Y. C.

Sonovox Will Help Films Says Wright

(Continued from Page 1)

and clatter of the wheels. Such sounds can be made to speak lines without, of course, altering their original character.

Not only can any sound effect be made to speak,—from thunder to the squeaky shoes of a comic,—but animals can now read lines in their own voices, Wright explains, adding that were Sonovox used in connection with a film such as "Sequoia," the audience could understand animal talk.

Wright asserts that currently it is impossible to foresee all the uses to which Sonovox will be put in motion pictures. This depends on the imagination of those making film, he said. Device's first important use was in RKO Radio's Kay Kyser vehicle, "You'll Find Out." Kyser's band was made to sing the words of a song it was playing,—no human voices, just articulated saxes, trumpets and other instruments.

Some day, Wright states, audiences will hear a symphony orchestra in which each instrument is also a voice via Sonovox, and that when foreign versions of films again become important, the device will have something else constructive to offer.

Capitol Fills Orders From Eight Houses

Ben Perse, president of Capitol Motion Picture Supply Co., New York, reports that his organization has recently supplied RCA Magic Screens to three Brooklyn theaters,—Rapf & Ruden's Traymore; Lee's Majestic; and Kafka's Miller, and that Ludeca's Manhattan has received this type screen plus Ashcraft Suprex projection lamps.

Capitol also has furnished a G-E rectifier and Baldor rectifier to B. Herman's Hawthorne, Hawthorne, N. J., and the Fabian's Stadium, Tottenville, Staten Island, respectively.

Shea's circuit's Quaker, New Philadelphia, O., has received American Seating Co. chairs, Hurley screen, new projectors, Cyclex projection lamps and Bigelow Wilton carpet through Capitol.



"M-M-M! SOUNDS GOOD TO ME!"

When your theatre has the double protection of an Altec sound service agreement and an Altec booth parts agreement, you can relax! Yes, you can devote all your time

and thought to showmanship and exploitation—for Altec takes projection room worries off your shoulders for good! Change to Altec today!

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CHANGE TO ALTEC SERVICE • A CHANGE FOR THE BETTER

PROSCENIUM CHATTER

FRED Mills, prexy of Mills Novelty Co., Chicago, put his John Hancock on the largest single order ever placed for 16 mm. projection equipment by ordering 17 carloads of RCA projectors, amplifiers and loudspeakers for the new Panoram "Soundies" (coin-in-slot movies). On hand for the signing were W. L. Rothenberger, manager of the Industrial Division of RCA Mfg. Co.; Herb Mills, treasurer of Mills Novelty; Bert Mills, who perfected Panoram; Dennis Donohue, assistant to Fred Mills; Bill Oakley, Mills purchasing agent; and Ralph Mills, vice-prexy of Mills Novelty.

Bill Lewis has taken over the Sharon, Sharonville, Cincinnati suburb, and will remodel and increase its seating capacity at once.

Harold Bernstein, prexy of Greater Cincinnati ITO, 'nother flash from that city tells, will build a new theater on Montgomery Road, Pleasant Ridge. Ground is being broken.

Sprague Bros. of St. John, N. B., theater equipment dealers, will operate a new theater in St. George, 45 miles west, when completed. It is of frame construction with concrete foundation, and seating about 400. It will replace the present Capitol, former legit opera house. The Sprague boys also operate theater at Fairville and Deer Island, N. B.

About as handsome a job in theater fronts is the facade of Percy Palmer's Rialto, Edgerton, Wis., which this particular (and that goes in every respect) showman has had built in cream and brown porcelain. Percy has also installed swell new seats and had the lobby and box office attractively painted. He put 12-G's into improvements.

Milt Hansburg, who recently acquired the old Hazelton Dome Theater in Youngstown, O., is remodeling the house throughout and expects to open it some time this month. House will be known as the New Center and will pursue a subsequent-run film policy at pop prices.

Sound Engineering Service Co. announces new sound installations in the New Theater at Maiden, N. C., operated by Al Miller. The Rivoli and Grand at Lincolnton are also operated by Al.

T. A. Masburn, manager of the Patway, Madison, N. C., has installed the latest W-E Microphonic sound.

Down in Sheraden, Pa., Pittsburgh suburb, folks are going in a big way to the new Temple Theater which had its gala opening on Nov. 16. House is the latest in the fast growing Frenan & Shapiro circuit. Theater is stand-out in its equipment and appointments, including both single and love seats and a crying room for mothers and their offspring—where the latter can see the pix without disturbing the other patrons.

Universal Studios Get Brenkert Equip.; Shearer Lists Numerous New Orders

Los Angeles—B. F. Shearer Co. of California has just completed installation of six Brenkert Projectors and eight pairs of Brenkert Enarc Lamps at the Universal Studios, Universal City. The Shearer organization reports supply of Heywood-Wakefield chairs and chair covers to Long's Benson and Pima Theaters, in Benson and Pima, Ariz. Orders for same make chairs, covers, and Da-Lite screens have been filled for King's Roxy, Huntington Beach; Louis Kaplan's New Rose, Santa Barbara; the Circle, Bellflower; Ben Mohl's Pic-fair, Los Angeles; and W. E. Cox' Chief, Casa Grande, Ariz. Latter's Cotton Boll in Casa Grande has been furnished with a Da-Lite screen and new projection equipment, as has Dwight Harkins' Tempe, Tempe, Ariz., which ordered Karagheusian carpet as did the aforementioned Roxy, New Rose, Circle, Pic-fair and Chief Theaters. Either rectifiers or generators have been shipped to all six of last named.

Front and Sign Inquiries Increase, Says WhiteWay

Chicago—The WhiteWay Sign System, Tom Flannery prexy, reports marked increase in inquiries from theater owners for new fronts and new signs.

WhiteWay is supplying a new canopy for the GCS circuit's Admiral Theater, a new marquee for the Davidson circuit's Calo Theater, and new signs and modernized front for the Lincoln Theater of the Van Nomikos circuit.

For B & K circuit, WhiteWay has modernized several theater signs, including that of the Chicago Theater.

Warner Circuit Renovates Three Connecticut Houses

New Haven—Warner Theater Department is embarking on renovation of three houses, the 929-seater Rialto, South Norwalk; 1,340-seat State, South Manchester, and 1,600-seat Cameo, Bristol. Each job is estimated at \$25,000, and will include new carpets, redecoration, new lobbies and marquees, and new lighting.

Sells Share in N. H. Stand

Whitefield, N. H. — Allen F. Stoughton has announced the sale of his interest in the Little Theater here to William W. Banzhaf, formerly of Rye, N. H. The new owner has also purchased the Stoughton Block, which contains the theater and several stores. Alterations are reported to be planned.

Sparks House Ready

Orlando, Fla.—Newest Sparks theater here is expected to be ready about Thanksgiving, according to Vernon Hunter, manager. This is a 500-seat house and the seats will be padded with foam rubber instead of springs. There will not be a stage installed.

Strong Lamps for Plaza

Boston—E. M. Loew's new Plaza Theater in Salem has been equipped with Strong lamps in the booth and had entirely new projection equipment, including a new silver screen. The Plaza will be under the direct management of Joseph Morency, long connected with the E. M. Loew organization.

WDDO Radio Playhouse Becoming Film Theater

Chattanooga, Tenn.—Independent Theaters will reopen the remodeled and re-equipped Station WDDO Radio Playhouse here as the Capitol Theater on Nov. 28.

House will present both first-runs and return engagements of big features, in addition to a tie-in with Radio Station WDDO for broadcasting noon-day stage shows. Abe Solomon, president of Independent Theaters, announced.

Abe Boriksy, secretary-treasurer of the circuit, will manage the new house, seventh operated by the company here.

Graham Bros. Report On Most Recent Jobs

Denver—New orders filled by Graham Bros. Theater Equipment here include Strong projection lamps and rectifiers for Frank Nieto's Zia, Los Lunas, N. M.; C. E. McLaughlin's Ritz, Las Animas, Colo.; Everett Cole's Grove, Alamosa, Colo., and J. B. Melton's Victory in Denver.

McLaughlin has also received a Da-Lite screen and Motiograph projector, and Everett Cole a Da-Lite screen and Ideal seats.

Start Florida House

Jacksonville, Fla. — Ground has been broken for a 700-seat theater in Murray Hill, a suburb of Jacksonville. L. H. Holloway of Cordele, Ga., and associates are building the theater for themselves.

Martin Gets Contract

Lake Wales, Fla.—Contract for the new \$28,000 theater to be erected at Stuart and Second Sts., has been let to L. F. Martin. Work is to begin immediately. This is a unit in the Sparks chain.

New Florida Drive-In

St. Petersburg, Fla.—A \$20,000 drive-in theater is to be built immediately. Bolivar Hyde is agent. The theater will be located at 7201 Fourth St. N.

Fox-Wis. Changes Front

Milwaukee — Fox — Wisconsin Amusement Corp. is having a new porcelain facade, new marquee, box-office and outer lobby built for the local Ritz.

EQUIPMENT FIELD NOTES

PHIL GORELICK has awarded contract for new sign and marquee on his Carman Theater in Detroit to Long Sign Co.

Anent the Auto City, Saul Sloan, more than two years ago, mentally batched a project which has now commenced—the Television Theater there. House, to be opened about March, is a 2,000-seater instead of 3,600 seats as originally announced by Saul. Present indications are that the theater will be booked through Mutual Theaters.

Perez Abreu & Co., is building a 1,900-seater on 23rd St., Vedado—that swank suburb of Havana. Cinema will have Western Electric Microphonic Master sound, Motiograph projection, and Ascraft lamps.

Sam Caporal, who's building the new Bison Theater in Oklahoma City, Okla., has purchased a pair of Brenkert projectors, Brenkert lamps, RCA sound system, and a Century generator for this house. It's a 600-seater.

Carver Theater Corp., of which Fred Levi is both prexy and treasurer, is re-opening the shuttered Carver in Birmingham.

That 24-karat Florida exhib., Gus Diamond, is improving his Vogue in Orlando by way of gettin' the most possible biz from natives and visitors this winter.

Ernie Wolf is all set to unlock his now renovated Avalon, Lowville, N. Y. In the meanwhile, he's been carrying on in the nearby Opera House.

Joe Blumenfeld has ordered International chairs and Chase chair covers for his Esquire in Frisco. Pacific Coast Theater Supply Co. of that city made the sale, and filled similar orders for Bill Wolfe's Sunset there; the Berkeley Bowl (new bowling alley) in Berkeley; and for one of the Hilo Theaters, Ltd., houses in Hilo, Hawaii.

Herman J. Silver has finally completed remodeling and installing of new equipment in his Dan, Claymont, Del. Herman also operates the Earl in the Delaware community of New Castle.

Dick Magruder, president and manager of the Garden, Cumberland, Md., has signed with RCA Photophone for new sound for the house, and for a new RCA Magic Screen.

W. F. Sonneman, operator of the U-Ark, Fayetteville, Ark., recently put in an order for 640 Heywood-Wakefield chairs, a pair of Brenkert projectors, RCA sound, Baldor rectifiers, and a Da-Lite screen, from the Oklahoma Theater Supply Co. Dewey Goodwin, operator of the Fox Theater, Minco, Okla., has purchased a pair of Strong arc lamps for his house.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 102

NEW YORK, MONDAY, NOVEMBER 25, 1940

TEN CENTS

SEE BOX-OFFICE GAINS IN EARLY WINTER AAA Ready to Arbitrate Disputes Under Decree

Offers Good Offices Pending Setting Up of Machinery to Function on Feb. 1

The American Arbitration Association announced on Friday that it is ready to handle disputes under the New York equity suit consent decree if exhibitors so desire.

Officials pointed out that although the industry machinery of arbitration will not be completed and ready for operation until Feb. 1, that exhibitors may wish to have immediate adjudication on certain questions. In this event, it was said, the AAA would offer its facilities, and since

(Continued on Page 4)

Fairbanks Interest In UA is For Sale

West Coast Bureau of THE FILM DAILY

Hollywood—Douglas Fairbanks' estate interest in United Artists is available for purchase but as yet no official offers have been made by anyone. If and when the interest is sold it will be to the highest bidder, the estate's representatives stated.

Samuel Goldwyn was available (Continued on Page 11)

Sales Policies Discussed At Two-Day "U" Meeting

Sales policies and distribution problems were discussed over the week-end by Universal district managers, division heads and home office executives at a two-day session in the Hotel Astor. Plans for the second annual Scully Drive, in honor

(Continued on Page 10)

NWMP in 360 Spots At Advanced Prices

In the month elapsing since its Regina, Canada, world premiere, Para's NWMP has been booked in more than 360 pre-release key city engagements at advanced admissions, Neil Agnew said at the week-end. Agnew added that the total could have been considerably increased were it not for the holdovers and extended playing time in practically all situations.

British Remittance Figure at \$12,860,000, Wardour St. Hears; Two-Installment Plan

London (By Cable)—Final figure of \$12,860,000 has been agreed upon as the remittance for American companies for the new year, it was reported at the week-end in Wardour Street. Figure is a slight increase over the last reported figure of a flat \$12,000,000. Money would be remittable in two installments, it is understood.

Arnold to Take Time Naming Special Unit

Washington Bureau of THE FILM DAILY

Washington—It will be at least several weeks or possibly months before the Special Unit of the Anti-Trust Division assigned to keep an eye on operation of the New York equity suit consent decree will be appointed by Assistant Attorney General Thurman Arnold, a spokesman at the Justice Department told THE FILM DAILY at the week-end.

While nothing definite has been decided, the informant said the report Robert Wright would head the unit is probably "a very good guess." Another "good guess" would be that those on the unit will be members (Continued on Page 10)

Rifkin, Hulling Added To Monogram's Board

West Coast Bureau of THE FILM DAILY

Hollywood—Herman Rifkin, veteran distributor and one of the original organizers of Monogram in 1930, has been elected vice-president and a director of Monogram. President W. Ray Johnston also made (Continued on Page 11)

WB '40 Net Up to \$2,747,472 Amortization Changes Disclosed in Report

WB's "Letter" Rolling Up Top Grosses in First Keys

In the first 12 key city situations reporting to date, Warners' "The Letter" is topping "The Old Maid," the company's biggest money maker last year, ATAH, one of this season's top grossers, and "Four Wives," (Continued on Page 11)

Oct. Admish Levies Advance \$4,900,498

Washington Bureau of THE FILM DAILY

Washington—Admission tax collections for October, responding to the new defense taxes, increased almost six times over the collections for October, 1939, the Bureau of Internal Revenue announced Friday.

The October, 1940 figure, was reported at \$6,628,429.90 compared to \$1,726,931.46 for October, 1939, representing a gain of \$4,900,498.44. Substantial gain over the previous month of September when the new defense tax also prevailed is shown, the October collection is \$776,774.77 more than the \$5,851,655.13 collection for September.

Broadway area collections show (Continued on Page 10)

MPTOA Oklahoma Unit Will Meet on Dec. 16

Oklahoma City—First meeting of the Theater Owners of Oklahoma, Inc., MPTOA affiliate, since the national MPTOA convention held here in November, 1938, has been set for Dec. 16 in the Skirvin Hotel here. Ed Kuykendall, MPTOA prexy, who (Continued on Page 4)

Five Schine Rochester Houses to Start Bingo

Rochester — Super-Bingo will be launched at five Schine Theaters here Wednesday, with a 55 cent admission charge in effect. Bingo will go into the Riviera, (Continued on Page 10)

Definitely Improved Condition Forecast by Ross Federal Research Survey

The film industry, as well as general business throughout the country, can look for a definitely improved condition during the early Winter months, a nation-wide check-up by Ross Federal Service, Inc., completed at the week-end, establishes.

Boston reports theater grosses better than they have been for some time past. This may be the effect of government contracts awarded to New England manufacturers. Likewise in New England, bankers in (Continued on Page 4)

Ask Cuban President To Revoke Pix Edict

By MARY LOUISE BLANCO
FILM DAILY Staff Correspondent

Havana (By Air Mail)—Revocation, amendment or modification of the anti-block-booking decree recently enacted here is expected this week following representations to President Fulgencio Batista and Dr. Jose T. Onate, Minister of Commerce.

A letter was sent to President (Continued on Page 11)

Five Schine Rochester Houses to Start Bingo

Rochester — Super-Bingo will be launched at five Schine Theaters here Wednesday, with a 55 cent admission charge in effect. Bingo will go into the Riviera, (Continued on Page 10)

"Flight Command" in Hemispheric Opening

Industry's first "hemispheric premiere" will be held on the night of Dec. 17 when M-G-M will hold simultaneous premieres of "Flight Command" in Washington, Havana, Mexico City and Toronto. Date is Pan-American Aviation Day, set aside by joint resolution of Congress and authorized by White House proclamation. Washington premiere at Loew's Capitol Theater will be sponsored by the National Aeronautic Assn.



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FINANCIAL

(QUOTATIONS OF FRIDAY, NOV. 22)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	10	9 1/2	9 1/2	
Col. Pict. vtc. (2 1/2%)				
Columbia Pict. pfd.				
Con. Fm. Ind.				
Con. Fm. Ind. pfd.	9	9	9	+ 1/4
East. Kodak	142 1/4	141	141	- 1/4
do pfd.				
Gen. T. Eq.				
Loew's, Inc.	28 1/4	27 1/2	27 3/4	- 1/4
do pfd.				
Paramount	9 1/4	9 1/4	9 1/4	
Para. 1st pfd.	97 1/4	96	97 1/4	+ 1/4
Paramount 2nd pfd.	10 1/4	10	10	
Pathe Film	10 1/4	10 1/4	10 1/4	
RKO	2 1/4	2 1/4	2 1/4	- 1/4
RKO S6 pfd.	34 3/4	34 1/2	34 1/2	- 1/2
20th Century-Fox	6	5 7/8	6	+ 1/8
20th Century-Fox pfd.	16 1/4	16 1/4	16 1/4	
Univ. Pict. pfd.				
Warner Bros.	3 1/4	2 3/4	3 1/4	+ 1/2
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6546				
Loew's deb. 3 1/2% 104 1/4	104 1/4	104 1/4		+ 3/8
Para. B way 3 1/2%	49 1/4	49 1/4		+ 1/8
Para. Pict. 6555				
Para. Pict. cv. 3 1/4% 95	94 1/4	94 1/4		- 1/8
Warner Bros. deb. 6546				

NEW YORK CURB MARKET

Monogram Pict.				
Radio Keith war.	1 1/4	1 1/4	1 1/4	
Sonstone Corp.	1 1/4	1 1/4	1 1/4	
Technicolor	9 1/2	9 1/4	9 1/2	
Trans-Lux	1	1	1	
Universal Corp. vtc.				
Universal Pict.				

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. '45	Bid	Asked
Rox. Theat. Bldg. 4s 1st '57	66	69
	62	64

GE Demonstrates Its 2-Color Tele System

Schenectady—General Electric engineers demonstrated the company's two-color television system at the week-end for members of the National Television Systems Committee. Demonstration was in connection with the opening of GE's new FM station.

The Broadway Parade

Picture and Distributor	Theater
The Great Dictator (United Artists-Chaplin)—7th week (d)	Capitol
North West Mounted Police (Paramount Pictures)—3rd week	Paramount
Seven Sinners (Universal Pictures)—2nd week	Rivoli
The Letter (Warner Bros. Pictures)	Strand
Tin Pan Alley (Twentieth Century-Fox)	Roxey
Bitter Sweet (Metro-Goldwyn-Mayer Pictures)	Music Hall
Blackout (United Artists)	Globe
Too Many Girls (RKO Radio Pictures)	Criterion
Law and Order (Universal Pictures) (a)	Central
Among Human Wolves (Film Alliance)	Central
Give Us Wings (Universal Pictures)	Rialto
Knute Rockne—All American (Warner Bros. Pictures) (a-b)	Palace
Always a Bride (Warner Bros. Pictures) (a)	Palace

TWO-A-DAY RUN

The Great Dictator (United Artists-Chaplin)—7th week	Astor
Fantasia (Walt Disney)—2nd week	Broadway

FOREIGN LANGUAGE FEATURES

The Baker's Wife (The Baker's Wife Co.)—38th week	World
The Man of the Hour (French feature)	55th St. Playhouse
The Kiss of Fire (Hakim Bros.)	Little Carnegie
Melodias de Anastro (Spanish musical feature)—2nd week	8th St. Theater
Il Mistero del Portafogli, Nero (Italian feature)	Cine Roma
Merry Wives (Edgar Lloyd)—3rd week	Bryant

FUTURE OPENINGS

Third Finger, Left Hand (Metro-Goldwyn-Mayer) (c)	Capitol
Second Chorus (Paramount Pictures)—Dec. 4	Paramount
Dulcy (Metro-Goldwyn-Mayer Pictures) (c)	Criterion
Despatch from Reuter's (Warner Bros. Pictures)—Dec. 5	Strand
Victory (Paramount Pictures) (c)	Rivoli
One Night in the Tropics (Universal Pictures) (c)	Roxey
The Thief of Bagdad (United Artists-Korda) (c)	Music Hall
Melodias de Anastro (Spanish musical feature)—Nov. 28 (a-b)	Palace
Tugboat Annie Sails Again (Warner Bros. Pictures)—Nov. 28 (a-b)	Palace

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Continuous, unreserved.

RKO, 20th-Fox, Col., "U," Lead New England Sales

Boston—RKO, Twentieth Century-Fox, Columbia and Universal lead in volume of contracts negotiated in this district, according to the most recent survey of the Independent Exhibitors, Inc.

In approximately 50 per cent of their deals, all of the companies made terms for less money or the same money than in previous seasons, it is asserted.

Monogram and Republic stand also well near the top. Arthur K. Howard, business manager of Independent Exhibitors, Inc., notes that Paramount, RKO, 20th-Fox and Universal sold generally on a flat basis. M-G-M is now selling on a minimum of four pictures on percentage.

Vitaphone, according to Howard, is deviating from percentage deals, although flat rental contracts depend upon box-office figures which they obtained on percentage pictures from exhibitors last year.

UA Asks Higher Figure For "Dictator" in B.A.

United Artists is reported to have rejected an offer from the Cine Plaza Theater, Buenos Aires, for Charles Chaplin's "The Great Dictator" at a guarantee of 140,000 pesos, or about \$33,500 in American money. Offer was made with the understanding that the picture would open during the Christmas holidays.

A similar guarantee, obtained by Walter Gould, was made for the last Chaplin picture, "City Lights." It is understood that Gould, now head of the foreign department, is demanding a higher figure for "Dictator."

"Arizona" Setting Marks; Advanced Prices Prevail

Pre-release engagements of Columbia's "Arizona" are at advanced admissions, the company disclosed Friday, at the same time reporting that the Wesley Ruggles production is breaking records in all first playdates. At Loew's Midland, Kansas City, the pix grossed three times more than the opening day of "Mr. Smith Goes to Washington" it was said.

Columbia is setting pre-release dates for Philadelphia, Providence and Memphis.

Jack L. Warner Resigns Turf Club Chairmanship

West Coast Bureau of THE FILM DAILY

Hollywood—J. L. Warner has resigned as chairman of the board of the Hollywood Turf Club. However, he will remain as a member of the board of directors. In making public his resignation as chairman, Warner cited increasing pressure of activities and duties at the studio.

Blank Gives Ambulance For Service In England

Des Moines, Ia.—A. H. Blank, head of the Tri-States Theater Corporation of Des Moines and Mrs. Blank were the donors of a \$1,150 contribution to the Red Cross to purchase an ambulance for service in England. Blank, in making the donation, stated it was "in profound admiration of British courage."

COMING and GOING

WILLIAM F. RODGERS, E. M. SAUNDERS and H. M. RICHEY left last night for Detroit.

WILLIAM A. SCULLY, general sales manager for Universal, left yesterday for a tour of the company's Midwestern exchanges, with the first stop being Detroit.

MONROE GREENTHAL, newly appointed actor and pub. head of UA, left for the Coast on the week-end to confer with executives at the studio.

JOSEPH A. McCONVILLE, Columbia's foreign manager, and JACK SEGAL, manager of foreign branch operations, have returned from a two-month trip through the Latin American territory.

SAM CARVER, Detroit exhibitor, was a week-end visitor in New York.

LEON LEONIDOFF is on the Coast.

SYLVIA SIDNEY is due here this week from Hollywood.

DIOSA COSTELLO arrived on the Coast over the week-end.

COLE PORTER sailed Friday on the Santa Clara for a two-week cruise in the West Indies.

DONALD WOODS flew to the Coast Saturday via TWA Stratoliner.

VICTOR MATURE, who flew to the Coast Friday, returns tomorrow.

ANNE HARRINGTON, of Metro's Boston office, has returned from an airplane visit to Bermuda.

ROBERT L. WHITTEN, Millbridge, Mass., operator, has returned from a visit in the South.

ROY E. HEFFNER, who heads Bank Night in Boston, is in New Brunswick on a hunting trip.

ALFRED N. SACK, of the Sack Amusement Enterprises of Dallas, is in Hollywood for his annual search for product. He is staying at the Knickerbocker Hotel.

"One Big Union" Scheme Said Out for the Present

It was reported at the week-end that the scheme to amalgamate the "talent unions"—member groups of the AAAA which included Actors' Equity, AFRA, AGMA, SAG and a number of smaller units—into "one big union," has been abandoned at least for the present, but may be revived when difficulties of the member groups have been adjusted.

Halifax City Council Favors Sunday Films

Halifax, N. S.—Sunday opening of local theaters, primarily to provide entertainment for service men, has been endorsed by the City Council. Provincial government has the final word.

"Happy Birthday to You"

From THE FILM DAILY to Margaret Livingston, Lincoln Quargberg, Vera Reynolds, Louis D. Lighton, Terry Kilburn

**Do Your Christmas
Shopping Early!**

**BOOK HOLLYWOOD'S BIGGEST
HOLIDAY SHOW NOW!!!**

America's Two Top Comedians

Jack Benny · Fred Allen



**in Paramount's huge
laugh and music hit**

"LOVE THY NEIGHBOR"

The most highly publicized
motion picture since the
birth of radio! Millions are
asking **NOW** to see the pic-
ture Jack and Fred are sell-
ing on their big air shows!

with **MARY MARTIN**
Verree Teasdale • The Merry Macs
and **ROCHESTER**

Produced and
Directed by **MARK SANDRICH**

Original Screen Play by William Morrow
and Edmund Beloin, Ernest Pagano
and Z. Myers • A Paramount Picture



AAA May Arbitrate Disputes Under Decree

(Continued from Page 1)

it already has a nation-wide arbitration system open to all industries, these disputes can be handled by the regular organization arbitrators.

The Rules of Arbitration have not been changed since they were submitted to Federal Judge Henry W. Goddard on Nov. 14. Government spokesmen said Friday. It had been reported previously that Judge Goddard had asked for further clarification of the rules at a conference with Government attorneys after the Nov. 14 hearing.

Allied May Poll Directors On Consent Decree Policy

Policy of national Allied toward the consent decree in view of its approval by Federal Judge Henry W. Goddard may be framed via a mail poll of directors, Abram F. Myers, general counsel, said over the weekend. If no mail poll is taken, a policy will be established at the regular annual meeting of the board in January when the directors assemble in Washington.

MPTOA Oklahoma Unit Will Meet on Dec. 16

(Continued from Page 1)

will be the principal speaker, will arrive Dec. 15 for conferences with Oklahoma exhibitors.

Five new directors will be elected at the meeting to augment the present board of seven directors, which includes three officers, to a total of 12. Present officers are Morris Loewenstein, president; Max Brock, Layton, vice-president; Leonard A. White, Weatherford, secretary-treasurer; and directors, Vance Terry, Woodward; Bill Slepka, Okemah; J. C. Hunter, Tulsa; John Giffin, Miami, and Carl Burton, Cordell, who has sold his theater interests and moved from the state.

Nominating committee includes Bill Slepka, chairman, Vance Terry and Leonard White.

Lamasky Named Union Prexy

Chicago—Local B-45, Film Exchange Employees Union, has elected Sam Lamasky of Columbia prexy and George W. Busch of RKO, business manager.

Leigh, MacDaniel at 2nd GWTW Opening

Vivian Leigh as Scarlett O'Hara and Hattie MacDaniel as Mammy will reenact the bedroom scene from GWTW on the stage of Low's Grand, Atlanta, as a feature of the Selznick film's anniversary premiere Dec. 12. Movie set will be built on the stage for the occasion. Anniversary premiere will also attract a leading Hollywood director who will function for the re-enactment.



● ● ● JUST last night we received a letter from Senor Charlie Garrett.....director of that neat Cuban trade paper, Mundo Filmico Cubano.....and feel that we should pass along to you one of its salient paragraphs.....Charlie tells of attending the Rex Theater, Havana news-reel house, the other night.....The stand played a German UFA reel as a part of its multi-subject program.....The German reel tried to show how life in Germany is calm and tranquil despite the war.....and used as a semi-climax to this end.....an exciting horse race.....At the end of the sequence flashed a close-up of the winning nag.....coincident with which the commentator's voice boomed: "The winner is the famous Italian horse, So-and-So".....Then a voice from the audience immediately boomed back:....."God, how these Italians can run!".....

● ● ● THERE'S an odd sorta dual situation on Old Broadway and environs.....It seems that Tiny Person (that's his name we'll have you know) is on both stage and screen 'round here this week.....This mere wisp of a 352-pound actor is in "Panama Hattie" and you can also see him in shadow (it sounds incredible!) at Loew's Criterion in RKO Radio's "Too Many Girls".....Then Desi Arnaz, is 'nother dual-er.....He's on the Roxy stage via a p.a. this week.....and also in that same film opus "Too Many Girls".....

● ● ● FOOTBALL is a happier affair than the recent Cornell-Dartmouth incident might indicate.....We like our pigskin served a la Atmore, Alabama.....Down there, the comely, curvful Luverne Wise is assistant cashier at the Atmore Theater.....Yeah, but she's also in the national gridiron spotlight.....kicking extra points for the Atmore High School eleven.....Crowds really roar when the gal, in abbreviated silver skirt and blue-and-silver blouse, trots on the field to boot the oval over the crossbar.....completely befuddling her team's already bewildered opponents.....

● ● ● THIS may not have anything to do with the foregoing item.....but a dispatch from Phenix City, Ala., asserts that Roy E. Martin, president of a theater circuit in the South.....will build a football stadium in that community.....to provide a place for High School teams to play.....It'll be known as "Martin Stadium".

● ● ● ANOTHER gal (we don't know her name) is being talked about in pix circles.....She's the blonde in the red dress who sits in the lobby of Loew's Rochester Theater readin' the book, "Escape".....She's creating a load of curiosity and is the "model teacher".....an idea hatched by house's assistant mgr., George McGunnagle.....

● ● ● STUFF:.....Seen at the Yale-Harvard game at New Haven: Louis Gordon and Mrs. Gordon, Mrs. Arthur H. Lockwood, Nat Furst, Maurice N. Wolfe, I. H. Rogovin, Murray Goldstein, Bert Jacobs, of Boston, Louis and Myer Schine of Gloversville, Lou Weinberg of New York.....Larry Nixon, press representative of the Bell Telephone exhibit at the late New York World's Fair, has again joined the staff of H. A. Bruno & Associates of 30 Rockefeller Plaza.....The Radio City Music Hall is departing from usual custom of showing own trailers and projecting a trailer created by UA for Alexander Korda's "Thief of Bagdad" which moves in the Van Schmus palace following run of "Bitter Sweet".....The Misses Bonnie and Gloria Hunt, daughters of John Hunt, manager of Chicago's Oriental Theater, have just closed their season with Ringling, Barnum Bailey circus.....

Early Winter Gains for U. S. Grosses

(Continued from Page 1)

New Haven consider the general outlook favorable and point to an increase of business activity throughout Connecticut.

St. Louis reports an employment increase of 30 per cent over last year, with theater grosses good. On the West Coast, Frisco business is figured as being twice as good as in 1939, while Los Angeles reports above-average business.

Renewed confidence is the keynote in Denver; financial experts look for a rise in commodity prices and for looser money.

Reports from the South reveal that business is good in Atlanta. Charlotte tobacco markets are due to close soon, but increased textile business, resulting from government orders, as well as good department store business, are expected to be a box-office hypodermic. In Memphis, business is favorable. An outbreak of polio in northwestern Louisiana closed theaters in some sections. Oklahoma crops are good this year, with the cotton crop the best in 10 years. A sharp business upturn is anticipated.

In Chicago, business conditions at present parallel those of last year, but a rise is anticipated. Detroit reports business generally good, with employment indices rising.

The same employment outlook is reported from Milwaukee, where the usual seasonal drop in film attendance is not expected this year. With the defense program well under way in Milwaukee, industry is hard put to it to keep up with the millions in orders now placed in Wisconsin. All phases of employment have felt the beneficial effects of increased industrial production.

Omaha exchange managers are looking forward to favorable biz; in Portland, Ore., business is ranging from 6 to 10 per cent better than a year ago; Dallas reports general business topping 1939's level; in Des Moines, marked increase of interest in films is reported, which in the Salt Lake City area, crop harvesting is putting tens of thousands of dollars into circulation.

Hub Censors Trim "Arise"

Boston—In the latest list of pictures to go before the Massachusetts Department of Public Safety for approval, 35 were approved for Sunday showings and one, "Arise, My Love," was approved with deletions.

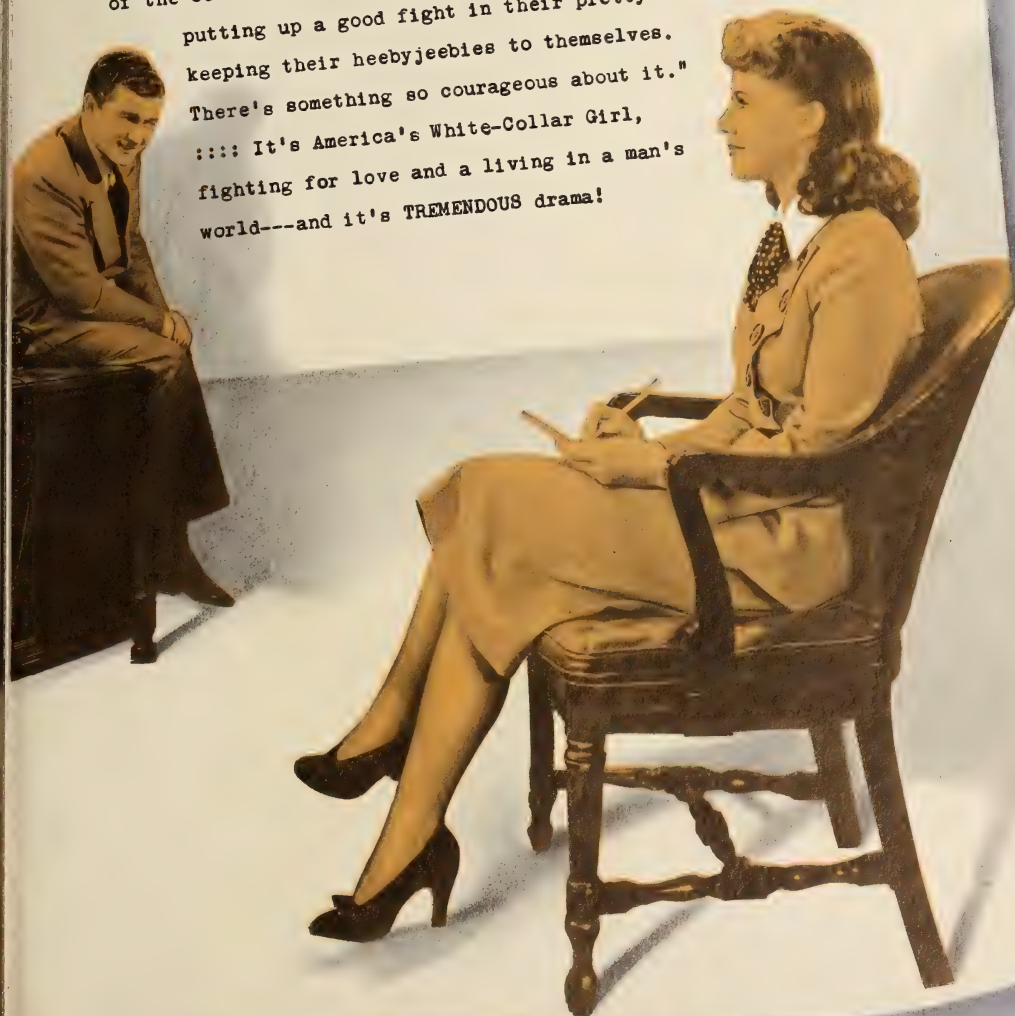
\$8,000,000 GE Bonus For 66,000 Workers

Schenectady—GE will pay a bonus of approximately \$8,000,000 to 66,000 eligible employees for 1940, compares with \$5,019,000, paid last year. Bonus is equivalent to a wage increase of about 7 per cent.

Kitty Foyle Speaking---

"When I think I was 28 this year and what I've gone through in ten years, it's almost funny. But I'm here to say I've had joy and given it and I was in there fighting. I read about the guts of the pioneer woman. What about the woman of the covered typewriter? I see them on subways and buses, putting up a good fight in their pretty clothes, and keeping their heebyjeebies to themselves. There's something so courageous about it."

:::: It's America's White-Collar Girl, fighting for love and a living in a man's world---and it's TREMENDOUS drama!



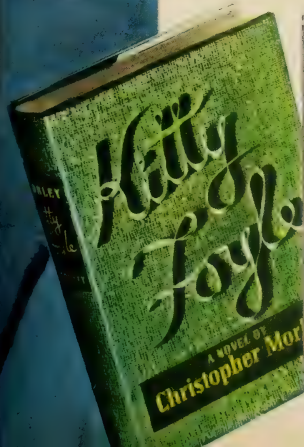


How about
seeing me
after work?
Kenneth
X X



GINGER ROGERS as the heroine of the year's biggest best seller, "KITTY FOYLE," the most daring novel ever written by a man about a woman :: Christopher Morley's Natural History of a Woman :: The story of a Career Girl facing the crisis of her life, revealed in her innermost thoughts :: It's the heart-cry of millions of love-and-a-home-hungry girls, adrift and alone in the fight-or-die jungle of business life.

*RKO-Radio's
Sensational
New Year's
Attraction!*



GINGER ROGERS

In the First Great Romance of the White Collar Girl

"KITTY FOYLE"

*Christopher Morley's Natural History of a Woman
With*

DENNIS MORGAN • JAMES CRAIG

Eduardo Ciannelli • Ernest Cossart • Gladys Cooper

Directed by **SAM WOOD**

Who Made "Goodbye, Mr. Chips"

RKO RADIO PICTURE



*Produced by David Hempstead • Harry E. Edington, Executive Producer
Screen Play by Dalton Trumbo. Additional Dialogue by Donald Ogden Stewart*



**ALFRED HITCHCOCK DIRECTS LAST
SCENES OF CAROLE LOMBARD AND
ROBERT MONTGOMERY IN
"MR. AND MRS. SMITH"**

The director of "Rebecca" and "Foreign Correspondent" has turned his hand to comedy with an hilarious flair. Rapidly nearing completion is this riotous story of a bride who couldn't stay mad. It is planned for early release, as is also another forthcoming big one from RKO Radio Orson Welles, in "Citizen Kane."

REVIEWS OF THE NEW FILMS

"Tin Pan Alley"

with Alice Faye, Betty Grable, Jack Oakie, John Payne

20th-Fox 94 Mins.
SMASH ENTERTAINMENT FOR ALL AUDIENCES; PICTURE TOPS IN EVERY DEPARTMENT, AND SHOULD BE ONE OF YEAR'S BIGGEST B. O. HITS.

Containing everything in the way of entertainment that any audience could ask for, this new 20th-Fox musical should be one of the year's smash hits, gladdening the hearts of exhibitors as well as 20th-Fox's. Here is a picture that will sell itself by word of mouth as entertainment; here is a picture that will be sold by critics as entertainment through glowing reviews, and certainly no exhibitor could ask for anything more in the way of selling material for his own use—great song numbers, big stars for the marquee, a story with romance, drama and heartbreak, and all in one package.

Associate producer Kenneth MacGowan and production head Darryl F. Zanuck "shot the works" as far as the general excellence of the picture goes. Director Walter Lang turns in a job that leaves nothing to be desired, skillfully maneuvering his players, making the most of his drama and getting the most from his comedy sequences. The smoothly paced screenplay, flowing continuity and unstilted dialogue, was contributed by screenwriters Robert Ellis and Helen Logan, who deserve the warmest sort of praise. Leon Shamroy does a beautiful job with the cameras. Credit for swell musical direction goes to Alfred Newman, and Seymour Felix gets a hand for the dance numbers.

Alice Faye registers effectively both dramatically and musically. Betty Grable brings to the picture that certain something known as "oomph," and she is a sure bet to wow audiences. Her dancing is expert, she delivers her lines adequately and is an attractive decoration for the picture. Jack Oakie is right at home in a wise-cracking comedy role; audiences will eat it up. John Payne registers nicely in a straight role as Miss Raye's vis-a-vis in the picture's romantic interest; he is certain to grab himself more important roles as a leading man as a result of this picture.

As for the remainder of the cast it is very heavy on the plus side. Allen Jenkins is amusing, Billy Gilbert will get heavy laughs in a dance number. Esther Ralston is good in a brief part and John Loder, Elisha Cook, Jr., Fred Keating and all the other players are both able and effective. One corking dance number is put over with a bang by the Nicholas Brothers.

Picture has a nostalgic setting, the Tin Pan Alley of pre-war days providing the background. Introduction of some old numbers popular before and during the last war and right now will also give audiences a spine-tingling thrill. "Goodbye Broadway, Hello France" and "America I Love You" sure to get a big hand from the customers. One new number written by Mack Gordon and Harry Warren is catchy and tuneful. "K-K-K-Katy," set to marching troops, will also draw a big hand. Memories, both pleasant and sad, are stirred by the picture.

"Meet The Missus"

with Roscoe Karns, Ruth Donnelly, Spencer Charters

Republic 68 Mins.
NEW CAST CLICKS IN HIGGINS FAMILY STORY BUT SCRIPT HAS WEAKNESSES.

Spruced up with a new cast, the latest release in Republic's Higgins series, is aimed at the family trade and fills the bill. The Higginses get in their usual amount of troubles, although in this instance, some are far-fetched. The writers strain for humor at the end of the picture, another defect. However, the laughs are there.

Roscoe Karns, Ruth Donnelly, Spencer Charters as grandpa, George Ernest and Lois Ransom comprise the Higgins family with the Gleasons missing from the scene for the first time since the series was started. The new cast acquires itself favorably, and Polly Moran, Astrid Allwyn, Alan Ladd, Harry Woods and Dorothy Ann Seese are helpful additions. Mal St. Clair directed.

Young Ernest loses some bonds which are negotiable that he was supposed to have delivered for the firm he and his father work for. From there on trouble brews at increasing speeds; money must be raised to pay for the bonds; grandpa gets involved with Polly Moran; and Karns gets mixed up with Miss Allwyn; but it was all a mistake and all's well that ends well.

CAST: Roscoe Karns, Ruth Donnelly, Spencer Charters, George Ernest, Lois Ransom, Polly Moran, Astrid Allwyn, Alan Ladd, Harry Woods, Dorothy Ann Seese, Harry Tyler.

CREDITS: Associate Producer, Robert North; Director, Mal St. Clair; Original Screenplay, Val Burton, Ewart Anderson and Taylor Cavan; Cameraman, Ernest Miller; Editor, Ernest Nims.

DIRECTION, O. K. PHOTOGRAPHY, Good.

Benny to be Toastmaster

Philadelphia—Jack Benny will be toastmaster at the local Variety Club's annual banquet Dec. 12 at the Bellevue-Stratford.

It puts over some flag waving in its own way.

With entertainment as the target, "Tin Pan Alley" hits the bull's-eye for everybody.

CAST: Alice Faye, Betty Grable, Jack Oakie, John Payne, Esther Ralston, Allen Jenkins, Nicholas Brothers, John Loder, Elisha Cook, Jr., Fred Keating, Billy Gilbert, Lillian Porter, Tyler Brooke, Hal K. Dawson, William B. Davidson, Lionel Pape, Billy Bevan, Dewey Robinson, Robert Emmett Keane, John Sheehan, George Watts, Princess Vanessa Ammon, Brian Sisters, Roberts Brothers.

CREDITS: Associate Producer, Kenneth MacGowan; Director, Walter Lang; Screenplay, Robert Ellis and Helen Logan; Based on a story by Pamela Harris; Cameraman, Leon Shamroy; Editor, Walter Thompson; Musical Direction, Alfred Newman; Dance Director, Seymour Felix.

DIRECTION, Excellent. PHOTOGRAPHY, Excellent.

"Youth Will Be Served"

with Jane Withers, Jane Darwell, Robert Conway

20th-Fox 66 Mins.
COMEDY MELODRAMA IS ONE-GIRL SHOW FOR JANE WITHERS; JUVES WILL LIKE IT.

Young Miss Withers in this comedy melodrama puts on pretty much of a one-girl show in this release, with generally good results, especially for the juve trade. The story has quite a lot of action, the plot is okay and the climax is a logical ending.

Miss Withers is able and effective, and is supported by a capable cast that includes Jane Darwell, Robert Conway, Elyse Knox, John Qualen, Charles Holland, Tully Marshall and Cy Kendall. Holland, young Negro singer, puts over one number with a smash. Otto Brower directed from a screenplay by Wanda Tuckock.

Qualen, Jane's father, is arrested for moonshining. Joe Brown, Jr., a friend, and Jane follow him when he leaves their little southern town in the hands of the law. When two bank bandits wreck their car the two kids flee into the woods to avoid getting mixed up in the affair. They bump into an NYA camp and Jane stays there, while Brown goes to a CCC camp. Jane finally captivates the heart of Marshall, who is plotting to take the camp property over, and in a good climax she and Qualen, who has escaped from jail, help the police to capture the other bandits, with everything working out for the best.

CAST: Jane Withers, Jane Darwell, Elyse Knox, Robert Conway, Joe Brown, Jr., John Qualen, Charles Holland, Clara Blandick, Tully Marshall, Cy Kendall.

CREDITS: Associate Producer, Lucien Hubbard; Director, Otto Brower; Screenplay, Wanda Tuckock; Story, Ruth Fasken and Hilda Vincent; Cameraman, Edward Cronjager; Editor, Nick De Maggio.

DIRECTION, Good. PHOTOGRAPHY, Good.

War Dept. Sets Films Reserve Officers Policy

West Coast Bureau of THE FILM DAILY

Hollywood—Major Nathan Levinson, vice-chairman of the M. P. Academy's Research Council, has been advised by the War Department that the Army has established a policy with reference to calling of "affiliated" reserve officers to active duty which indicates that all officers appointed directly from civil life to reserve units organized under the "affiliated plan" will not be called to extended active duty without their consent.

Signal Corps photographic laboratory, being organized under the sponsorship of the Council, is being formed under the affiliated plan.

FPC to Pay 25c Dividend

Montreal—Directors of FPC have declared a dividend of 25 cents a share, payable Dec. 27 to shareholders of record Nov. 30.

"Remedy for Riches"

with Jean Hersholt, Dorothy Lovett, Edgar Kennedy

RKO-Stephens-Lang 60 Mins.
(HOLLYWOOD PREVIEW)

"DR. CHRISTIAN" STORY STEMMING FROM RADIO SCRIPTS CERTAIN TO CLICK WITH SMALL TOWN AUDIENCE.

With Hersholt's "Dr. Christian," for the fourth year, rating a top Crossley in the Mississippi valley and well received elsewhere, this slow-paced, village story of the small town doctor who outwits a pair of city slickers is sure to please. As a matter of fact, this includes in one subject several of the broadcast stories of the kindly old doctor. The cast has been well selected, production matches the standard of this series and story seldom steps above the low and easy pace of the folk whose lives it portrays.

Hersholt's enactment of the doctor never fails to convince, and his supporting cast, especially for the character players, remain equally believable, under Erle C. Kenton's direction. These include Edgar Kennedy and his stock slow burn as the village grocer, Walter Catlett as the policeman with commercial sidelines, Maude Eburne as the doctor's housekeeper and Margaret McWade and Halline Hill as the stock pair of old maid sisters. Romance, as usual, falls to Dorothy Lovett (who gets a few more chances to change costumes in this one) and Robert Baldwin, with Warren Hull serving as both the romantic and financial serpent in the Eden of River's end. Jed Prouty is good in the short role of an ex-carnival Barker who poses as a scientist. For comedy, there's an unutilized rooster who earns a bow.

The plot is comparatively simple. Hull plays a slicker. Finding he and Baldwin had played college football together, he selects River's end for his resort hotel. He salts the dump tract purchased from Kennedy with oil. When Dr. Christian suggests a geologist's report, Hull rings in Prouty to help his game. Dr. Christian gets his own geologist, whom Prouty manages to get jailed as a pickpocket until he and Hull can clean up on their shares. The doctor effects his release just in time to capture both of the confidence men.

CAST: Jean Hersholt, Dorothy Lovett, Edgar Kennedy, Jed Prouty, Walter Catlett, Robert Baldwin, Warren Hull, Maude Eburne, Margaret McWade, Halline Hill, Renie Rience, Barry Macollum, Lester Scharff, Prudence Penny, Stanley Blystone, Grace Hayle, Ed Hearn.

CREDITS: Producer, William Stephens; Director, Erle C. Kenton; Author, Lee Loeb; Screenplay, same; Cameraman, John Alton; Editor, Paul Weatherhaw; Art Director, Bernard Herzbrun.

DIRECTION, Good. PHOTOGRAPHY, Good.

Sunday Pix Win in Recount

Philadelphia—Recount on Tamaqua Sunday movie vote shows movies were approved 2,178 to 2,094. In the unofficial tally the movies had been defeated by more than 200 votes.

1940 Warner Profit Rises to \$2,747,472

(Continued from Page 1)

the preferred stock, earnings are equivalent to \$.63 per share on the common stock, exclusive of the shares held in the treasury, compared to \$.36 per share on the common stock for 1939.

At the same time, the company's financial statement revealed that it had revised its amortization rates on the basis of 80 per cent for domestic income and 20 per cent for foreign income. Prior to the fiscal year ending Aug. 26, 1939, the company worked on a 70-30 basis. Present rates of film amortization which are applied to the cost of released features produced in this country were also revised, advancing the cumulative percentage of film costs written off against the weeks in release, starting at the end of the fourth week, by about two per cent.

Gross income after eliminating inter-company transactions was reported at \$100,337,092 as compared with \$102,083,131 for the fiscal year ended in 1939, which covered a 52-week period. In addition to the operating profit, a net credit to earned surplus in the amount of \$85,811 was reported, and capital surplus was reported to have been increased by \$75,135. Capital surplus as of Aug. 31, 1940 which was carried to the balance sheet was set forth at \$57,316,562.59.

Current and working assets in the British Isles was reported at \$1,057,369, with fixed assets, less reserves, and all other assets bringing the total up to \$2,910,815. Other foreign assets fixed and otherwise totaled \$799,392, with liabilities balanced against the assets in both cases.

Conn. Film Bowling League?

New Haven — Connecticut MPTO will meet at 12:30 p.m., today at Ceriani's Restaurant, with vice-president Irving C. Jacobs, Jr. of Branford presiding. Organization of a state bowling league made up of film industry representatives, and sponsored by MPTO, will come up for discussion.

"Fantasia" Into Keith Memorial

Boston — Keith Memorial will play Walt Disney's "Fantasia".

TO THE COLORS!

West Coast Bureau of THE FILM DAILY

Hollywood — Victor E. Kline, Jr., Warner cutter, was honored as the first member of the film industry to volunteer and be accepted for the army, with a stag dinner at the Mona Lisa. Dinner was given by Warner film editors. Key speaker was H. M. Warner.

Sparks to Establish String of Drive-Ins

Jacksonville, Fla. — Sparks Theaters, Inc., will establish a string of Drive-In Theaters, with first to be built in Tampa and West Palm Beach. Completion by Jan. 1 is planned. Individual investment will be about \$35,000. Roy A. Benjamin of this city is consulting architect.

Oct. Admish Levies Advance \$4,900,498

(Continued from Page 1)

similar gains. The October collection was reported at \$1,103,233.52 compared to \$277,255.98 for the same month of 1939, a gain of \$825,977.54. The October figure is also \$166,747.48 more than the \$936,486.04 collection for September.

Sales Policies Discussed At Two-Day "U" Meeting

(Continued from Page 1)

of General Sales Manager William A. Scully were laid.

Those attending from the field included Dave Miller, Cleveland; Harry D. Graham, Atlanta; A. J. O'Keefe, Los Angeles; E. T. Gomersall, Chicago; J. E. Garrison, Kansas City, and Jules Lapidus, New York.

With Scully presiding, sessions also were addressed by President Nate Blumberg. Others present were William Heineman, Western division sales manager; F. J. A. McCarthy, Eastern and Southern division manager; Lou Pollock, Eastern advertising head, and members of the sales and accessories department.

Following the sessions, Scully left last night for a swing around the Midwest exchanges, with Detroit the first stop. He will return Dec. 2 and will leave Dec. 13 with other home office officials for Hollywood to attend new season product conferences at the studios.

B & K Asks Modification Of Tele Station Permit

Washington Bureau of THE FILM DAILY

Washington — Balaban & Katz, Chicago, have filed an application for modification of construction permit which authorized a new television station, for approval of antenna system and transmitter location at 190 N. State St., Chicago, the FCC announced Friday.

Don Reeve Under Knife

Don Reeve, of Paramount's publicity department, was resting comfortably at the week-end after an emergency appendectomy operation in St. Luke's Hospital last week.

Ampa to Hear Kaufman

Zenn Kaufman, author, lecturer and sales counselor, will be the principal speaker at Ampa's luncheon meeting at the Hotel Edison Thursday. Victor Mature will also appear.

Arnold to Take Time Naming Special Unit

(Continued from Page 1)

of the Department who have been active in the negotiations leading up to the consent decree, it was added.

Expressing surprise that there is so much industry interest in the unit phase of the decree, it was stated that there is really no necessity for hurry as the unit will not have anything to do until the decree goes into effect next year and even then, not until some exhibit makes a complaint.

There is nothing so new about the unit idea, it was said, as the Department has a number of such units watching various industries.

Five Schine Rochester Houses to Start Bingo

(Continued from Page 1)

Madison, Webster, Lake and West End. M.C.'s have been engaged to handle the games, and new automatic blowers and other equipment has been purchased for all houses.

Between \$350 and \$400 will be given at the theaters, according to present plans.

Rochester Theaters Sue For Lower Assessments

Rochester — Two theaters here have joined in Supreme Court suits against the city over 1941 tax assessments.

The Rochester-Palace Corp., owner of the RKO Palace, seeks a \$296,000 slash on the \$828,000 assessment on the land and building. The Moore-Wiggin Company Ltd., operator of the Temple Theater, demands a \$119,700 reduction on a \$469,700 assessment.

Two Milwaukee Theaters Win Cuts In Assessments

Milwaukee — The City Board of Tax review sitting on appealed cases has cut \$1,104,000 from city property assessments for 1940, most of them in the city's downtown area. Among the downtown properties given assessment reductions was the Empire Bldg., housing the Riverside theater, reduced \$150,000 from \$4,662,000, and the Alhambra Bldg., including the Alhambra theater, reduced \$38,000 to \$561,000.

Rensselaer Gets Sunday Pix

Rensselaer — Years of bickering over prohibition against Sunday pix finally culminated here in the Common Council passing a 24 to 12 ordinance with mandatory 2-hour rest for booth operators, engineers and firemen. Vote came after letters of protest from clergymen were read, as well as "prox-pix" petitions circulated by Cliff Swick, operator of the Uptown Theater, which is expected to receive bulk of the biz.

THE WEEK IN REVIEW

Goddard Signs Decree

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: Federal Judge Henry W. Goddard on Thursday okayed without any change the consent decree between the Gov't and the five consenting majors, upsetting some prognostications of delay and possible changes. He also appointed former Federal Judge Van Vechten Veeder as chairman of the Appeals Board for a term of three years at a salary of \$20,000. . . . Expectation was that Special Assistant Attorney General Robert Wright might be named as head of a special D of J unit—the "watchdog" of the decree. . . . Max A. Cohen, prexy of N. Y. Allied (an MPTOA unit) declared that he had "just begun to fight" the decree, while William P. Sims, MPTOA special counsel, indicated the MPTOA might file an anti-trust suit against the eight majors. . . . Abram F. Myers, Allied general counsel, expressed the hope that the distrib. would have from 75 to 150 features ready for release by Sept. 1 to ease the decree's selling strain. . . . Average cost of arbitration under the decree arbitration rules may be from \$50 to \$75, instead of the \$300 formerly indicated.

THIS AND THAT: Lynn Farnol resigned as UA's director of advertising and publicity and will be succeeded by Monroe Greenthal. At stockholders' meeting at the West Coast, Arthur W. Kelly, Harry Gold and Harry Buckley were re-elected UA v.p.'s; L. J. Schlaifer was not renam. . . . Eddie A. Golden quit as Mono's v.p. and general sales manager. He will be succeeded by Samuel "Steve" Broidy, Mono's Boston branch manager. T. P. Loach, v.p. and secretary-treasurer of Mono, resigned the following day, and Raymond Young was named treasurer. . . . Martin Beck died. . . . Under terms of M. A. Shea's will the Shea Circuit will be shared for the next 10 years by three trustees—Dennis F. O'Brien, Edward C. Raftery and Edmund C. Grainger. . . . United Artists Circuit reported a profit of \$300,633, more than double the 1939 figures. . . . N. Y. Capitol Theater anticipated a six-weeks' gross of \$400,000 with Chaplin's "Great Dictator". . . . Boston police banned all games in theaters. . . . Settlement of the La Crosse Theater Co.'s anti-trust suit was expected. . . . Fire code for Iowa theaters was forecast as developing after a number of theater fires. . . . Warner Bros. announced that sales drive, starting Dec. 22, would honor Sales Chief Grad Sears and awards totalling \$25,000 would go to winners. Meantime, Sears announced widespread changes in the Warner sales staff; chief promotion was that of Ralph McCoy, Atlanta branch manager, to be district manager of the newly created Southeastern District.

Fairbanks Interest In UA is For Sale

(Continued from Page 1)
for questioning as to whether his holdings were for sale.
At a meeting sanctioned by Murray Silverstone, United Artists' non-owner producers decided to form a committee and to appoint one committee-man as a contact man with Silverstone, Arthur W. Kelly and other home office executives. Silverstone has informed the committee-man that he agrees they should have more co-ordination with the United Artists' home office. The producers expressed themselves as thoroughly approving Silverstone's administration of the company's affairs.

Party for Priscilla Lane

Warner Bros. held a cocktail party Friday afternoon for Priscilla Lane at the Hotel Gotham. Among those present were Grad Sears, Mort Blumenson, Jake Wilk, Mitchel Rosson, Sid Rechechnik, Ozzie Nelson, Harriet Hilliard, Sheila Bromley, Alice Thompson, Julius and Philip Epstein.

Kyser Pix Gets Top "Takes"

"You'll Find Out" in Thanksgiving openings in 20 situations topped the intake of any RKO pix to play the respective houses since "Gunga Din," more than two years ago. This includes holidays and Saturdays and Sundays. At the Palace, Albany, the Thursday gross was the best in four years.

Pep Club to Hear Griffiths

Paramount Pep Club will hold the third of a series of talks sponsored by the educational committee tomorrow night. Speakers include Stanton Griffiths, Walter Kocell, and Richard Mealand, the latter Paramount's Eastern story editor. Agnes Mengel is in charge.

"Dictator" Gets a Seventh

Capitol Theater is holding "The Great Dictator" for a seventh and final week instead of closing at the end of six weeks.

WEDDING BELLS

Marriage of Joseph Salzburg, vice-president of Pictorial Films, to Dorothy Rosenberg took place Saturday at the Paramount Caterers, 183rd St. and St. Nicholas Ave.
Rita Johnson and Stanley Kahn, former publisher of the N. Y. Morning Telegraph, will wed here Monday, leaving on a Virginia motor trip following the ceremony.
Waterbury—Carmen Mascoli, manager of the Alhambra, was married Saturday to Grace Rossi, daughter of the owner of the theater, at St. Luce's Church. The newlyweds are motoring South.

Canadian Atlantic Coast Exhibs. in Rush For Insurance Against Nazi Raid Damage

St. John, N. B.—There has been a rush for insurance against damage from enemy raiders in the air, on and under the sea, for film theaters on the Canadian Atlantic Coast. This has developed overnight because of the news of German battleships or armed aircraft carriers attacking British and Canadian convoys off Newfoundland. Most of the theater buildings on the Coast are now covered by war damage insurance. St. John and Halifax, are believed to be primary objectives for attack because of their shipping importance.

WB's "Letter" Rolling Up Top Grosses in First Keys

(Continued from Page 1)
New Year's release and high grosser, it was learned over the week-end. With the houses reporting representing various sections of the country, indications are that the Bette Davis starrer will be one of the top Warner grosses of all time.

Pix started to capacity biz at the New York Strand Friday, with week-end "take" ahead of that of "The Old Maid," it was said. Second week already is assured.

As disclosed by the home office, representative reports from the keys were:

Strand, Albany, topped "The Old Maid" by \$642; AIAHT by \$589 and "Four Wives" by \$314 for opening day; Hip, Cleveland, topped "The Old Maid" by \$303; AIAHT by \$72; and "Four Wives" by \$2,122 for opening day; Warner, Youngstown, topped "The Old Maid" by \$1,086; AIAHT by \$1,218, and "Four Wives" by \$916 for opening day. Warner, Milwaukee, topped "The Old Maid" by \$69; AIAHT by \$371 and "Four Wives" by \$1,036 for two days; Brandford, Newark, topped "The Old Maid" by \$1,245; AIAHT by \$1,442 and "Four Wives" by \$784 for opening day; Earle, Washington, topped "The Old Maid" by \$36; AIAHT by \$413 and "Four Wives" by \$600 for opening day; and Stanley, Baltimore, topped "The Old Maid" by \$454; AIAHT by \$903 and "Four Wives" by \$1,106 for opening day.

Ralph Blank, V. Gerhard Form New Theater Firm

Lincoln, Neb.—Articles of incorporation were filed by Ralph Blank and V. Gerhard this week to own, lease or build theaters in the name of Blank Theaters, Inc. Capital stock was listed as \$10,000, consisting of 1,000 shares of \$10 par stock.
Ralph Blank, nephew of A. H. Blank, Paramount's partner in Iowa, Nebraska, and Illinois, was formerly district manager for Central States Theaters, Inc. in Nebraska, in which A. H. Blank also has an interest.

"Alley" Gives Roxy a Record

Setting a new Thanksgiving Day record at the Roxy Theater, "Tin Pan Alley," Twentieth Century-Fox' new musical picture, played to 23,900 persons for the day; the theater management announced at the week-end. Picture also established the second biggest opening day record, being exceeded only by "Alexander's Ragtime Band."

Farewell for Arch Reeve

A farewell dinner for Arch Reeve, who recently resigned as advertising manager of 20th-Fox, will be tendered to him Friday night at the Tower Club of the Park Central by his associates and friends. Reeve leaves for California in the near future.

Rifkin, Hulling Added To Monogram's Board

(Continued from Page 1)
known the addition to the directorate of Mel Hulling of San Francisco, West Coast district manager of the organization, and the election of Ray E. Young as treasurer.
Hulling replaces on the board of directors Thomas T. Loach, former vice-president who resigned.

Alfred Weiss Rites Held

Funeral services were held Friday for Alfred Weiss, 68, who had been in the film and amusement business for 40 years. At one time he was a production executive for Metro. Weiss retired from business more than 10 years ago. He is survived by his wife, Helene, two daughters, and two granddaughters.

Myers to Address Chi. Allied

Chicago—Abram F. Myers, general counsel for Allied, will address the Chicago unit this afternoon.

Ask Cuban President To Revoke Pix Edict

(Continued from Page 1)
Batista signed by a majority of the prominent exhibitors in the country outlining the difficulties that cropped up as a result of the measure, and making a plea for revocation of the decree. The letter, in part, stated "the decree has brought nothing but trouble and complications to the exhibitors, threatens a serious shortage of product and also threatens the loss of jobs for the many people working in this country in the film business."

Dr. Jorge Casuso, counsel for the distributors here, and a group of producers and exhibitor leaders called personally on Dr. Onate to give their views on the situation. The serious difficulties of the business and its future in Cuba under such a decree were outlined to Dr. Onate and a plea was made for revocation of the law. Onate is now studying the situation with a view to making recommendations to President Batista, probably this week.

Neaman Said Gravely Ill

Natrona, Pa. — Samuel Neaman, who operates the Roxy Theater here, is reported gravely ill in a hospital at Miami Beach, Fla.

A * M * P * A

presents a headline attraction at this week's luncheon meeting—a practical, inspirational and entertaining talk by the noted author and lecturer

ZENN KAUFMAN

Laughs and showmanship stunts by the author of "Showmanship In Business," "How To Run Better Sales Contests," etc. A real treat for anyone identified with advertising or selling in our business.

THURSDAY, NOVEMBER 28 HOTEL EDISON

Serving starts at 12:45 sharp

Entertainment Surprises!

Watch the daily trade papers for announcements of added guests and entertainers. Extra fine program now being lined up for your enjoyment.

Tariff (for Non-members) \$1.25 including tip
—and well worth it!

**"TIN PAN ALLEY"
AND "ALEXANDER'S
RAGTIME BAND" NOW
JOINTLY HOLD THE
RECORD FOR THE
BIGGEST OPENING DAY
IN THE HISTORY
OF NEW YORK'S
ROXY THEATRE!**

*"Tin Pan Alley"
in Los Angeles
beats every ^{20th}
hit to play the
Chinese and
State in the
last two years!*

*"Tin Pan Alley"
in a day-and-date
opening in Milwaukee
does almost an
entire week's business!*

*"Tin Pan Alley" is a
sock in 110 out of
110 pre-release
cities!*



Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 103

NEW YORK, TUESDAY, NOVEMBER 26, 1940

TEN CENTS

D OF J'S UNIT WILL "POLICE" INDUSTRY "Big Five" to Adapt Sales Contracts to Decree

**Standard Form Not Likely
To be Adopted Although
Said to be Within Law**

Sales contracts of the five companies consenting to the consent decree will be rewritten to conform with the provisions of the document. The revised contracts, of course, will not be used until next September when the decree becomes effective.

While a standard form of contract for the five companies is not likely to be adopted, legal authorities indicated yesterday that there was nothing

(Continued on Page 10)

Cuban Exhibs. Predict Dire Decree Results

Havana (By Air Mail) — In a further petition to President Batista asking for repeal of Decree No. 1936, the anti-block-booking measure, industry groups backing the repeal move predict the most dire results for the entire film trade here unless the decree is revoked.

The petition, which has three main points, was signed by the majority of the exhibitors in the nation and all circuit owners. It lists as follows:

(Continued on Page 10)

\$8,000 to \$9,000 Daily Advance for "Fantasia"

Daily advance ticket sales for "Fantasia" at the Broadway has been averaging between \$8,000 and \$9,000, according to Hal Horne, distribution head for Walt Disney. Advance sales climbed to a new high this week when receipts climbed to \$60,000. Six box-offices are now in operation.

(Continued on Page 10)

5 Pix In 7 Hr. Show For 4 3/4 to 7 Cents

Buenos Aires (By Air Mail)—Did some one mention multiple features?

The Cine Colonial in Avellaneda, near Buenos Aires, is now showing five films in a seven-hour performance for 20 to 30 Centavos, equal to 4 3/4 to 7 cents in U. S. coin.

AID CHARGES DISTRIBS. UNFAIR

*Withholding of Pictures, Forced Buying Claimed
in Samuelson Report to Indiana ATO*

Indianapolis — Charging distributors with continuing unfair trade practices, Sidney Samuelson, of Philadelphia, submitted the second report of the Allied Information Dept. to delegates attending the 14th annual convention and trade show of Allied Theater Owners of Indiana here yesterday.

Samuelson asserted that there was a wide variation of sales policies in

different parts of the country, basing his information on the survey cards received from exhibitors. Withholding of pictures, he said, was the principal evil, while there was evidence that distributors were still forcing exhibitors to buy shorts and features they did not want.

New legislation and its effect on the industry were the chief subjects

(Continued on Page 6)

STOA Weighs Court Move Against Decree

Atlanta—The Southeastern Theater Owners Association, at a week-end convention here, discussed preliminary plans for the filing of an action designed to deal a knockout blow to the consent decree in the New York equity suit. The STOA, affiliated with the MPTOA, is the first exhib. unit to act following the

(Continued on Page 6)

NLRB Certifies SOEG for Seven, But Not 20th-Fox

Washington Bureau of THE FILM DAILY

Washington—NLRB yesterday certified Screen Office Employees Guild as the sole collective bargaining agent for the office and clerical em-

(Continued on Page 6)

Sunday Legit. Fails To Cut Into Pix Biz

With legit. shows open Sunday night in New York for the first time in many years, a survey yesterday of Broadway film houses showed no effect on film grosses.

Result was exceedingly gratifying to operators of Broadway film houses for two reasons. First, the Sunday

(Continued on Page 10)

Rep. Gross Biz Up 25%; Earnings May Top CFI's

Republic's gross business for the current season is showing a 25 per cent gain over 1939-40, according to Prexy James R. Grainger.

Should this increase continue, earnings are likely to exceed those of

(Continued on Page 10)

Indian Duty Removal Sought Want Raw Film, Equipment Admitted Free

Coast Production Rises; 10 New Features Start

West Coast Bureau of THE FILM DAILY

Hollywood — Ten pictures are scheduled to go into production this week.

At Columbia: "Edge of Running Water," featuring Boris Karloff with

(Continued on Page 10)

Bombay (By Air Mail)—Indian Motion Picture Producers Association has called upon the Government for the removal of the import duty on raw film and equipment.

Association urges that the Government give the native industry a fair deal, restricting levies to the entertainment taxes imposed by the provincial administrations and to

(Continued on Page 10)

**Will Attempt to See That
No New Abuses Not Covered
by the Decree Arise**

Special unit which the Department of Justice is to establish as a result of the consent decree in the New York equity suit will not confine its activities to the modus operandi of the decree and rules of arbitration, but will generally "police" the industry, it was learned from Government sources here yesterday.

The unit, it was said, will have headquarters in Washington, and will be formed within three to four weeks. Special Assistant Attorney General Robert L. Wright is favored to head it, with the designation to be

(Continued on Page 10)

"Philadelphia Story" At Advanced Prices?

M-G-M may ask exhibitors to raise admission prices for "The Philadelphia Story," using the same policy as was adopted in most cases for "Boom Town." Present plans call for five or six test engagements on "The Philadelphia Story" starting Dec. 5. If the test runs at higher prices are successful, M-G-M prob-

(Continued on Page 6)

Philly Allied Opposes Specific Pix Price Tilts

Philadelphia—A resolution against increasing admissions for specific pictures was passed at a general meeting of the local Allied unit, it was disclosed yesterday. The organization is definitely opposed to

(Continued on Page 10)

NWMP First to Stay Five at N. Y. Para.

New York Paramount will hold De Mille's NWMP for a fifth week, making the pix the first feature in the house's history to stay that length of time. Third week biz is expected to hit \$49,000. "Moon Over Burma" will follow NWMP on Dec. 10 at the Broadway house.

THE FILM DAILY

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JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Monday, Nov. 25)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.				
Col. Pict. vtc. (2½%)	5½	5½	5½	.....
Columbia Pict. pfd.				
Con. Fm. Ind.				
Con. Fm. Ind. pfd.				
East. Kodak	142½	142	142	+ 1
do pfd.				
Gen. Tel. Eq.				
Loew's, Inc.	29½	29	29½	+ 1½
do pfd.				
Paramount 1st pfd.	99	95	94	+ 1½
Paramount 2nd pfd.	10	10	10	.....
Pathe Film	10½	10½	10½	+ ¼
RKO	2½	2½	2½	.....
RKO 5¢ pfd.	34½	34½	34½	.....
20th Century-Fox	6½	5½	5½	- ½
20th Century-Fox pfd.	16½	15½	15½	- ½
Univ. Pict. pfd.	3½	3½	3½	+ ¼
Warner Bros.	50	48	50	+ 4
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6½c	
Loew's deb. 3½c	94½
Para. Pict. cv. 3½c	94½
Warner Bros. db. 6½c	91

NEW YORK CURB MARKET

Monogram Pict.	33	33	33	.....
N. Y. OVER-THE-COUNTER SECURITIES				
Met. Playhouse, Inc. 2nd deb. 45¢	65	65	65	.....
Roxy Thea. Bldg. 4½ 1st 57	62	62	64	.....

EXECUTIVES!

Will the operation of the Consent Decree find you without capable manpower? Available now is a young man with ten years in exhibition. He has strong experience in buying, booking, advertising publicity, and exploitation. He has managed many types of theatres. He has a college education, a head on his shoulders, and a will to work hard. He is single, in excellent physical condition and has a high draft order number. He is willing to travel anywhere and would like interviews with progressive distribution or exhibition executives who want and need an honest, loyal, and capable man to represent their interests. Write Box 1925, The Film Daily, 1501 Broadway, New York City.

200 Mich. Pix Leaders At Flynn Testimonial

Detroit—Two hundred Michigan film leaders gathered in the Crystal Ballroom of Book-Cadillac Hotel for a testimonial dinner to John E. Flynn, M-G-M district manager, who transfers to Chicago. The event was sponsored by the Variety Club and was one of the most enthusiastic testimonials here in years. An unusual number of friends of Flynn from outside the industry also attended.

Circuit Judge Ira W. Jayne was toastmaster while the speakers included M-G-M executives: William F. Rodgers, general sales manager, E. M. Saunders, Western sales manager; T. J. Connors, Eastern sales manager, and Henderson M. Richey, assistant to Rodgers.

In a personal tribute to Flynn based on Richey's years as manager of Allied Theaters of Michigan, Flynn was presented with large silver plaque inscribed with three verses especially written by Edgar A. "Eddie" Guest.

Expect 800 to Attend Steve Brody Farewell

Boston—Martin Mullins, president of the M & P, will succeed Steve Brody as head of the new Variety—formerly Friars—Club when Brody leaves to take his new position as general sales manager for Monogram. Brody, who leaves soon for the West Coast, will be feted at a dinner to be given in the Copley-Plaza next Saturday night. Reservations for more than 800 diners are expected.

Burger to Open Two New Loew Houses in Brazil

Buenos Aires (By Air Mail)—Sam Burger, M-G-M foreign representative, returns to Rio de Janeiro next month to supervise the opening of the two new Metro theaters in the Rio suburbs of Tijuca and Copacabana. Burger said the company expected good business in these additions to the Loew holdings, which include another house in Rio and one in Sao Paulo.

Metro to Hold Two-Day Chi. Meet Nov. 30-Dec. 1

Chicago—M-G-M will hold its two-day meeting of district managers and home office executives at the Blackstone Hotel here Nov. 30 and Dec. 1.

"Bitter Sweet" Forges Ahead

"Bitter Sweet" in its first four days at the Radio City Music Hall broke all records for an M-G-M attraction at the house for a similar period and will be held over for a second week, M-G-M reported yesterday.

Ruth Schwerin With Lesser

Ruth Schwerin has been appointed Eastern publicity representative by Sol Lesser. Her first assignment will be the Ernest Lubitch production, "That Uncertain Feeling."

Draftees' Jobs Protected By Resolution of SPG

Screen Publicists Guild has adopted a resolution stating that any conscript or volunteer shall automatically be considered on a leave of absence by the company employing him, regardless of whether or not the company has stated its policy in this matter, it was learned yesterday. Resolution is evidently aimed at companies not adopting a policy of rehiring for employees joining or conscripted in the U. S. armed forces. Resolution also continues a member's good standing in the SPG while in service, and classifies any member on leave of absence as a member of a company unit when any negotiations are held.

Fox and Feld as Captains For William Scully Drive

Matty Fox and Milton Feld are to act as honorary captains for the Western and Eastern divisions, respectively, in Universal's William Scully Drive which is to be conducted from Dec. 8 to May 10. In an East against West competition, a large sum of award money has been set aside for drive winners, while an additional sum is being put up by Jules Levey, producer of "The Boys From Syracuse," for the best results on that picture.

20th-Fox Argentine Convention Tomorrow

Buenos Aires (By Air Mail)—The 20th Century-Fox convention will open here tomorrow, extending through Saturday. Sidney S. Horen, Argentine manager of the company, will preside. Delegates are expected from Cordoba, Rosario, Santa Fe, Bahia Blanca, Mendoza, Treque, Launquen and also from Montevideo, Uruguay.

Singer Opposes Advanced Prices for Specific Pix

Chicago—Opposition to increased admissions for specific pix was expressed here by Mort Singer, circuit operator, prior to his departure for the Coast. Popular prices will draw larger audiences, Singer feels.

Circuit's use of legit. in Iowa key spots this season was termed successful by Singer.

20th-Fox Opens Fight On Georgia Assessment

Atlanta, Ga.—A suit for an injunction to enjoin Fulton County from assessing 20th Century-Fox for \$93,000 taxes for 1940 was filed last week in Fulton Superior Court. It was claimed that the \$93,000 assessment on the company's motion picture films had been "arbitrarily fixed" by the tax assessors.

COMING and GOING

HERMAN WOBBER, general manager of distribution for 20th-Fox, is due to return to the home office today.

SPYROS SKOURAS, National Theaters head, and JOHN HEALY, his assistant, are en route to the Coast.

DAVID O. SELZNICK has left for Hollywood after a lengthy stay here.

FREDRIC MARCH arrives here in a couple of weeks from the Coast to spend the Winter.

ROBERT BURNS and his wife leave Hollywood this week for New York.

NORMAN H. MORAY, short subject sales manager for Warners, has arrived at the studio after a swing through the company's exchanges.

ARTHUR A. SCHMIDT, publicity manager for Metro, is in Boston today.

JOAN CRAWFORD expects to leave soon for the Metro studio.

LEONARD GOLDENSON was in Chicago over the week-end.

WILLIAM A. SCULLY, "U" general sales manager, and E. T. GOMERSALL, district manager, are in Detroit. Scully expects to return at the end of the week.

F. J. A. MCCARTHY, Eastern division manager for "U," left for Dallas yesterday accompanied by HARRY GRAHAM, WILLIAM J. HEINEMAN, Western division manager, and A. J. O'KEEFE, district manager, left for Des Moines.

MORT SINGER, circuit head, has gone to the Coast from Chicago for a 10-day stop.

REGINALD DENHAM has left for the Coast on a film assignment.

JULIUS EVANS, Jesse L. Lasky's personal representative, left yesterday for Hollywood.

JED HARRIS is expected at the West Coast shortly.

ALBERTINA RASCH has left the Coast for New York to stage the choreography and pantomime for Gertrude Lawrence's stage show, "Lady in the Dark," which Sam H. Harris will produce.

ARTHUR H. LOCKWOOD, president of Connecticut MPTO, is on a cruise to New Orleans.

"Bitter Sweet" Ahead 300%

Thanksgiving Day launched "Bitter Sweet" in 19 additional key cities to some of the biggest grosses of the year, M-G-M reported over the week-end. Percentages of normal business ran to as high as 397 in Akron. Other towns topping 300 per cent included Baltimore, Cleveland, Dayton and Louisville.

PRC Set In Argentina

Buenos Aires (By Air Mail)—Producers Releasing Pictures will be distributed in the Argentine, by Cinematografica Terra, owned by Adolfo Zitzkovich Wilson, former UFA distributor.

In Memory of ALFRED WEISS

Departed November 20, 1940

We shall always miss his long friendship and his able guidance.

Board of Directors
Sentry Safety Control Corp.

Board of Directors
Film Circulation Corp.

Phillip S. Mallickson
M. A. Abrams

Bette Davis' Greatest is 'The Letter!'

Openings in every point of the compass top 'Old Maid', top 'All This and Heaven Too' — top everything she's ever done!



with

HERBERT MARSHALL
JAMES STEPHENSON

Frieda Inescort • Gale Sondergaard
Screen Play by Howard Koch
Music by Max Steiner

Somerset Maugham wrote this

WM. WYLER Production
for **WARNERS**

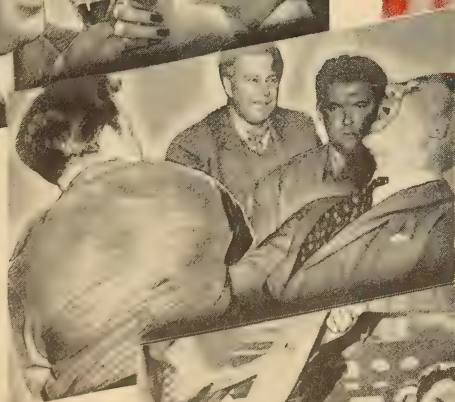
"ESCAPE TO GLORY" IS GLORIOUS ESCAPE TO HEROIC ROMANCE AND ADVENTURE



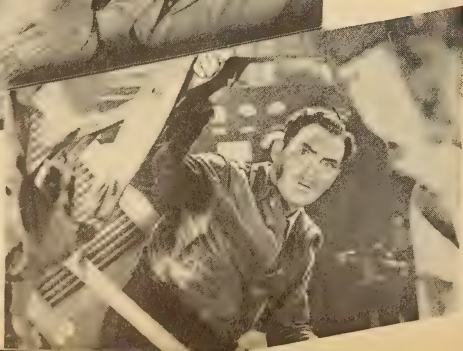
*Strange and
unusual sit-
uations....*



*Peopled with truly
amazing and fascin-
ating characters...*



*Stripped of the inhib-
itions and conventions
of everyday living...*



*Loving, plotting,
laughing, hating,
as if each fear-
ful second might
be their last!...*





*...and they're
buying that
BIG
these days!*

With a new star
combination
teamed to thrill!

**PAT
O'BRIEN**
**CONSTANCE
BENNETT**

*Escape to
Glory*



Screen play by P. J. Wolfson
Directed by JOHN BRAHM

with
**JOHN MELVILLE ALAN
HALLIDAY · COOPER · BAXTER**

STOA Weighs Court Move Against Decree

(Continued from Page 1)

court's approval of the decree in New York.

President M. C. Moore of Jacksonville, Fla., said the new method of selling and buying pictures under the decree would delay release dates in smaller towns as well as increase admission prices.

"It stands to reason the employ-

No decision as to MPTOA's activity in opposing the enforcement of the consent decree will be made until the board of directors can be canvassed by mail, President Ed Kuykendall informed THE FILM DAILY yesterday.

ing of more salesmen and bookkeepers will increase the cost of films, and this cost will not be assumed by the theater owner or the film company but will be passed on to the public," Moore declared.

Robert B. Wilby of Atlanta, Paramount partner, assailed the decree as "all in favor of the distributor, granting nothing to the exhibitor."

Prexy Ed Kuykendall of the MPTOA told the convention that the block of five provision would work serious hardships on the small theater operator.

AID Charges Unfair Practices by Distribs.

(Continued from Page 1)

discussed at yesterday's session. Troy G. Thurston, a certified public accountant, explained the new Federal tax laws, including the excess profit tax, and its application to the theater operator.

A cabaret party last night closed the first day activities.

Myers to Address Indiana ATO Following Ill. Allied Parley

Chicago—Abram F. Myers, Allied's general counsel and board chairman, discussed the New York equity suit consent decree here yesterday before 75 members of Illinois Allied, Jack Kirsch presiding.

Myers speaks before the Indiana ATO in Indianapolis today and returns to Washington tomorrow.



● ● ● HOME office ad and publicity departments are noting with satisfaction increased news treatment of films by the Syracuse (N. Y.) Herald-Journal. . . . Department headed by Hayden Hickok is sure gain' to town under the direction of Frank W. Clark, managing editor. . . . It's accepted here as astute editorial judgment. . . .—a realization that readers these days want entertainment and entertainment news to offset the daily grist of war horrors. . . .

● ● ● YEP, good news: . . . R. E. Griffith, first assistant chief barker of the Dallas Variety Club, presented a deed to his 500-acre wooded estate near Belton, Texas, to the Bob O'Donnell "chapter" . . . For the past two years the tract has been used for a summer camp sponsored by the Dallas Variety Club. . . . Under-privileged boys who attended the camp are selected by Miss Dora Foster of the Freeman Memorial clinic. . . . which is 'nother institution assisted by the Variety Club's charities. . . .

● ● ● OUR ole pix colleague. . . . young Eddie Chodorov is in N. Y. C. for the opening at the Royale Theater on Dec. 19. . . . of the new play penned by him and H. S. Craft. . . . "Cue for Passion" is the title. . . . By-the-by, Eddie's brother, Jerry Chodorov has recently finished a new play-script. . . . Far more than a book is "Speak Up for Democracy," published by the Viking Press. . . . and authored by public relations expert, Edward L. Bernays. . . . and it's conservative to say that its reading in America will forge a lot of stronger Americanism on the national anvil. . . . ● Speaking of writings. . . . get yourself a copy of the Atlantic Monthly. . . . and peruse Paul Hollister's article on Walt Disney. . . .—titled "Genius at Work" . . .

● ● ● THE Warner Club's Annual Xmas Kiddie Party will be held Saturday, Dec. 21, at 2 p.m. in company's Brooklyn Vitaphone Studio, and over 2,000 children, grandchildren, brothers and sisters of Warner Club members will attend. . . . ● Hap Hadley, that grizzled ole Marine, and Sailor Jack Goetz have completed their course of military training under the direction of their respective sons and fellow cadets up at N. Y. Military Academy in Cornwall, N. Y. (How're those creaky joints comin' along, gents?). . . . ● That's a remarkably virile picture of Irving Hoffman among the palm tree in distant (Alas!) Miami! . . . ● Just to keep the record straight, "Philadelphia Story" has nothing to do with Jay Emanuel.

● ● ● STUFF: . . . Shep Epstein of Boston has taken up New Haven quarters in his capacity as new membership campaign head for Allied Theater Owners of Connecticut. . . . Anent Beantown,—that city is gonna have a helluva swank premiere tonite when the Hub's own movie star and social registerite, John Cabot Lodge, appears in person at the "Sarajev" debut in the Fine Arts Theater (sardine-packed with the Commonwealth Ave. and Back Bay bigwigs). . . . Hartford heralds that Jeanette MacDonald will be honor guest at a cocktail reception at the local Hotel Bond next Saturday,—to which Harry Shaw and Lou Brown of the Poli-New England division have invited all of that circuit's managers, plus movie and music critics from miles and miles around. . . . Here's a movie man who became a minister.—Wallace G. Harris of McKinley, Me., has resigned his post at the Neptune Theater there to take pastorate of the Congregational Church at York Beach. . . . Bernie Mills, of Screencraft Pictures and former Albany exchange holder for Republic, moved his family over the week-end from Albany to New York, where they'll take up permanent residence. . . .

"Philadelphia Story" At Advanced Prices!

(Continued from Page 1)

ably will extend the policy at least on first-runs.

Exhibitors playing "Boom Town" hiked their admissions in a majority of the first-runs from 25 per cent to 33 1-3 per cent, although some theaters advanced their prices only five or ten cents.

Cities in which the test engagements will be held are Rochester, Reading, Louisville, Providence and Cincinnati. Regular release has been set for Jan. 10.

NLRB Certifies SOEG for Seven, But Not 20th-Fox

(Continued from Page 1)

ployes of seven studios and 20th Century-Fox Studios' Office Employees Guild for the employees of that company. The board's action was based on the results of secret ballot elections as follows: Columbia, SOEG, 128 to 1; RKO, 176 votes for and 5 against SOEG; Universal, 117 votes for and 3 against; Republic, 52 votes to 0; Loew's, 402 to 30; Walter Wanger, 5 for and 2 against; Hal Roach Studios, 29 to 0. At 20th Century-Fox, SOEG received 156 votes and 20th Century-Fox Studio Office Employees Guild received 242 votes.

Rites for Lila Lee's Mother

Funeral services for Mrs. Augusta Appel, mother of Lila Lee, were held here yesterday. Death occurred suddenly Saturday night. Mrs. Appel, a resident of Elyria, O., was visiting here.

WEDDING BELLS

Wilkes-Barre, Pa. — William H. Parsons, projectionist of Strand Theater, Swoyerville, married Janet Evans in First Baptist Church.

Terry Ginsberg, of Warner Bros. home office, will be married Thursday to Lawrence Siegel.

Lake Mills, Wis.—Leonard Wahl, Jr., manager of the Fort Theater, Fort Atkinson, Wis., was married here to Lorraine Stelsle.

Nathan Levine, cashier at Monogram Pictures in Boston, will wed Doris Berman, of United Artists, in Boston on Dec. 8.

Wauwatosa, Wis. — Mary Barry McCormack, actress, was married here to Richard Halstead Bell of New York.

Chicago—Eddie Seguin, B & K publicity man, and Virginia Murray, secretary to Madeline Wood, Mayor Kelly's publicity director, were married at St. Bride's Church and are honeymooning at French Lick Springs.

"Happy Birthday to You"



From THE FILM DAILY to

Julian Johnson
Frances Dee
Leon Holmes
Philip Longdon

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"The Philadelphia Story"

with Cary Grant, Katharine Hepburn, James Stewart

112 Mins.

M-G-M
BRILLIANT ALL-AUDIENCE COMEDY PACKED WITH POWER TO PULL AND ENTHUSE PATRONS.

Shortly after the New Year, M-G-M will release generally (Jan. 10 is the tentative date) its screen version of "The Philadelphia Story," based upon the ultra-successful stage play by Philip Barry which graced the stage of Broadway's Shubert Theater for a year and two days ended March 30, 1940. At the meticulous hands of Metro, the property emerges with that added sweep and vigor which characterizes the movie medium.

In film form, the forces of Leo the Lion have a brilliant and important picture,—easily one of the standout, smart comedies of the '40-41 season. Box-offices should sprout bumper revenue-crop for this genus of attraction, what with its trio of leads,—Cary Grant, Katharine Hepburn, and James Stewart; a splendid supporting cast which captures all of the frothy spirit of the rarely-seen script which Donald Ogden Stewart has so deftly fashioned; the directorial understanding and skill of George Cukor; and the bright, laugh-laden dialogue. The latter deserves particular emphasis, for it pervades virtually every situation, making naturally humorous situations into riotously funny one.

Perhaps the most astonishing attribute of "The Philadelphia Story" as told in celluloid is the basic simplicity of the screenplay which is always aimed down to the entire public, albeit it flashes barbed satire betimes at the horsey set, and has for its almost exclusive locale the suburban Quaker City estate of the multi-millionaire family Lord. The picture's captivating charm and salvos of mirth come not from the fundamental plot (that is a simple affair, recounting the re-uniting of a young wife with her husband), but the manner in which the yarn is unfolded.

Katharine Hepburn, in top histrionic form, is the imperious elder, daughter of the Lord family. Her mantle of wealth and station brings out the exasperating and unnatural side of her character, resulting in a two-year marital rift with her sportsman-and-human spouse,—Cary Grant. Poised to wed the righteous and politically ambitious John Howard, she finds her ex-hubby aligned with a pair of representatives of a scandal-purveying publication.

This duo consists of James Stewart and the comely Ruth Hussey, whose assignment is to do a blatant feature yarn on the approaching Hepburn-Howard nuptials. There are divers complications injected via the Hepburn parents' own estrangement; the blackmailing of the Lord family by the scandal mag's publisher, Henry Daniell; and the "affair" 'twixt the about-to-become human Hepburn and the author-journalist Stewart. But at the finale the shrew is tamed and harmony restored throughout the Lord household.

Any review of "The Philadelphia Story" would be inadequate without mention of the grand performance turned in by young

"Take Me Back to Oklahoma"

with Tex Ritter, Bob Wills and his Texas Playboys

Monogram 64 Mins.

(HOLLYWOOD PREVIEW)

FULL OF ACTION AND COMEDY AND WITH GREATER PRODUCTION VALUES, THIS IS ONE OF THE BEST IN THE RITTER SERIES.

This is one of the best Tex Ritters to date and is full of action and comedy; Edward Finney has supplied it with more production value than the usual Ritter oppus, and the addition of Bob Wills and his Texas Playboys is an excellent move. Al Herman has done a good job of directing.

Ritter does his usual pleasing work, while Slim Andrews and Bob McKenzie furnish most of the comedy. Terry Walker is an attractive heroine. Earl Hackett, Donald Curtis, Gene Alsace, Olin Francis, George Eldredge and Carlton Young are among the competent principals. Ritter sings "Kalamity Kate" and "You Are My Sunshine" while Andrews' number is "Village Blacksmith." Wills and his band do five numbers.

Ritter, as usual, comes to the aid of a friend, and this time it is Young, who is operating a stage line for Terry Walker. Two thousand dollars is raised at a church social, and although Hackett and his men steal the money, they plant the money wrappers in Ritter's bags and he is accused of the theft. Hackett also hires Francis to kill Ritter, but Ritter, who has befriended Francis' youngster, fights a fake gun duel with Francis. However, Hackett's men shoot down Francis. Ritter turns the tables on Hackett and his gang and they are brought to justice.

CAST: Tex Ritter, Bob Wills, Slim Andrews, Terry Walker, Bob McKenzie, Earl Hackett, Donald Curtis, Gene Alsace, Olin Francis, Carlton Young, George Eldredge.

CREDITS: Producer, Edward Finney; Director, Al Herman; Cameraman, Marcel Lepicard; Editor, Fred Bain; Musical Director, Frank Sanucci.

DIRECTION, Good. PHOTOGRAPHY, Very Good.

Virginia Weidler, which matches in quality and efficiency any contributed by the mature members of the cast. The picture is geared to score from key to hamlet, and to highlight the calendar year of 1940 of which it is slated to be Metro's trail-blazer.

CAST: Cary Grant, Katharine Hepburn, James Stewart, Ruth Hussey, John Howard, Roland Young, John Halliday, Mary Nash, Virginia Weidler, Henry Daniell, Lionel Pape, Rex Evans.

CREDITS: Producer, Joseph L. Mankiewicz; Director, George Cukor; Author, Philip Barry; Screenplay, Donald Ogden Stewart; Director of Photography, Joseph Ruttenberg; Musical Score, Franz Waxman; Recording Director, Douglas Shearer; Art Director, Cedric Gibbons; Associate, Wade B. Robertson; Set Decorations, Edwin B. Willis; Gowns by Adrian; Film Editor, Frank Sullivan.

DIRECTION, Excellent. PHOTOGRAPHY, Tops.

"Moon Over Burma"

with Dorothy Lamour, Preston Foster, Robert Preston

Paramount 76 Mins.

TROPICAL YARN WITH ABLE CAST HAS ALL ELEMENTS NECESSARY FOR GOOD POP OFFERING.

Laid in a tropical background, this offering has all the necessary elements to make it a good offering for the pop trade. There is some neat double-crossing, a couple of songs by Miss Lamour (minus her sarong but equally alluring), and two able and personable performers, Foster and Preston, battling for her affections, with a forest fire, a log jam in a river and a cobra on the loose in the plantation house tossed in for good dramatic measure.

Story is not novel, it is true, but it moves along smoothly and maintains interest. Louis King directed, turning in a workmanlike job. The screenplay was contributed by Frank Wead, W. P. Lipscomb and Harry Clark. Miss Lamour is effective, and Preston Foster and Robert Preston are personable and capable in the two male leads. Good support is given by Albert Basserman, Doris Nolan, Frederick Worlock and Addison Richards. Production value of the picture is on the credit side.

Foster and Preston, partners of Basserman, who is blind, in a teak plantation, travel to Rangoon to raise money to keep things going. Foster borrows it from Worlock, who hopes to take the place over with a little dirty work. His daughter, Miss Nolan, is interested in Foster and vice versa. Foster finds Preston in a cabaret where they meet Miss Lamour, and Foster leaves, with Preston showing up later at the plantation with Miss Lamour.

One thing leads to another, but she stays on, with Basserman told that she is married to Preston. However, after numerous difficulties Foster gets her in the end of the picture and M.ss Nolan gets the gate.

CAST: Dorothy Lamour, Preston Foster, Robert Preston, Doris Nolan, Albert Basserman, Frederick Worlock, Addison Richards, Harry Allen, Frank Lackteen, Stanley Price.

CREDITS: Produced by Paramount; Director, Louis King; Screenplay, Frank Wead, W. P. Lipscomb and Harry Clark; Based on a story by Wilson Collison; Cameraman, William Mellor; Editor, Stuart Gilmore.

DIRECTION, Able. PHOTOGRAPHY, Good.

"The Great Plane Robbery"

with Jack Holt, Stanley Fields, Noel Madison

Columbia 53 Mins.

FAIR MEASURE OF EXCITEMENT AND SUSPENSE MAKE PICTURE FAIRLY ENTERTAINING.

Racket buster Jack Holt is back at his old stand in this release, and the results are fairly entertaining screenfare. Picture has a fair measure of thrills and there is an element of suspense that is well maintained by plot twists until Holt puts the villains where they belong, with the assistance of the local gendarmier. The cast is adequate and the production values are creditable for the picture's budget range.

Holt is his usual capable self in the role of a special agent for an insurance company, although some of the fans will undoubtedly be disappointed in the fact that he isn't allowed by the script to even wallop one of the crooks in the entire picture. Stanley Fields, Noel Madison, Vicki Lester, Hobart Cavanaugh and Milburn Stone are among the adequate supporting cast. Director Lewis D. Collins gives the picture a good pace and holds the somewhat incredible story together.

Holt is assigned to keep Madison, a big time gangster about to be released from jail, alive until a \$500,000 insurance policy on his life expires in three months' time. Holt and Madison, traveling on the same plane, are kidnapped along with the other passengers by Fields and his gang, who try to shake Madison down for a huge sum he allegedly has hidden in banks. One thing leads to another and there is a considerable amount of skulduggery, including Holt's being accepted by the gang as another gangster, until he clips their wings and saves Madison's life.

CAST: Jack Holt, Stanley Fields, Vicki Lester, Noel Madison, Granville Owen, Theodore von Eltz, Hobart Cavanaugh, Milburn Stone, Paul Fix, Harry Cording, John Hamilton, Doris Lloyd, Lane Chandler.

CREDITS: Producer, Larry Darmour; Director, Lewis D. Collins; Screenplay, Albert DeMont; Story, Harold Greene; Cameraman, J. S. Brown, Jr.; Editor, Dwight Caldwell.

DIRECTION, Able. PHOTOGRAPHY, Good.

Edwards Sues Film Alliance

Suit of Sol Edwards in the New York Supreme Court against Film Alliance of the U. S., Inc., was disclosed yesterday when Edwards applied for an examination before trial of Nat Wachsberger, vice-president of the defendant. Edwards claims that the defendant breached a contract employing him for four months as Eastern sales manager at \$150 weekly and a percentage of the gross. He asks for \$6,200 damages.

Would Liberalize Censorship

Chicago—Aldermanic hearing on proposed liberalization of censorship regulations here will be held tomorrow, with Alderman Earl Dickerson presiding.

Graphic GHQ Now In Boston

Boston—The Graphic Theater Circuit, headed by Newell and Kenneth Kurson in Boston and by Sam Kurson at circuit headquarters in Bangor, Me., has moved the entire office force to the Boston headquarters and all business hereafter be handled locally.

Metro Buys Three Stories

West Coast Bureau of THE FILM DAILY

Hollywood — Metro has acquired rights to three new original stories: "Lazy Launcelot," by Kenneth Higgins; "Sun in the West," by Richard Carroll and Betty Hopkins, and "Lady's in Trouble," by Howard Emmett Rogers and George Harmon Coxe.

TWO BIG HAPPY HOLIDAYS

For Christmas

No, No,

ANNA NEAGLE

For New Year's

1941

Kitty

Amazing! Daring! Intimate!
The Smash Best-Seller
Now A Screen Sensation!

GINGER ROGERS

SHOWS FROM RKO-RADIO!

*The "Irene" Girl in the Sensational Broadway
Hit With Vincent Youmans' Music*

Nanette

the "Tea for Two" Romance **"NO, NO, NANETTE"**

with **RICHARD CARLSON • VICTOR MATURE • ROLAND YOUNG**
HELEN BRODERICK • ZASU PITTS • EVE ARDEN • TAMARA • BILLY GILBERT • STUART ROBERTSON

From the Musical Comedy, "No, No, Nanette" by Frank Mandel, Otto Harbach, Vincent Youmans; Emil Nyitray, Music by Vincent Youmans, Lyrics by Irving Caesar & Otto Harbach

Produced and Directed by
HERBERT WILCOX
SCREEN PLAY BY KEN ENGLUND

Foyle



is Christopher Morley's
"White Collar Girl"...

KITTY FOYLE

The Natural History of a Woman

with **DENNIS MORGAN • JAMES CRAIG** EDUARDO CIANNELLI • ERNEST COSSART
LADYS COOPER • Produced by DAVID HEMPSTEAD • HARRY E. EDINGTON Executive Producer

DIRECTED BY SAM WOOD

(WHO MADE GOODBYE MR. CHIPS)

Screen Play by Dalton Trumbo • Additional

Dialogue by Donald Ogden Stewart

"Big Five" to Adapt Sales Packs to Decree

(Continued from Page 1)

ing to prevent them from agreeing on a uniform pact.

Meanwhile, it was emphasized by the American Arbitration Ass'n that disputes under the consent decree can not be arbitrated until all the offices have been set up. Present plans call for inauguration of the boards on or by Feb. 1.

J. Noble Braden, executive secretary of the AAA, left over the last week-end for Los Angeles from where he will start a tour of key cities for the purpose of hiring clerks for each of the regional arbitration boards. He is due back before Christmas.

Sunday Legit. Fails To Cut Into Pix Biz

(Continued from Page 1)

legit. frankly is competition to films. Secondly, the legit. theaters reported their cheaper seats getting the biggest play, and these presumably would be those purchased by the so-called movie audience.

Managers of film houses confidently expressed the opinion that Sunday legit. won't hurt any house that has a good picture. It was also pointed out that the legit. shows might even help the film business by bringing more people to Broadway.

"Tin Pan Alley" at the Roxy; "Northwest Mounted Police" at the Paramount; "The Letter" at the Strand; "Seven Sinners" at the Rivoli; "The Great Dictator" at the Capitol and Astor; and "Bitter Sweet" at the Music Hall, did good business over the week-end and on Sunday. The new 20th-Fox musical at the Roxy was headed for a record week at that house on the basis of business done in the first five days.

Rep. Gross Biz Up 25%; Earnings May Top CFI's

(Continued from Page 1)

CFI, which owns approximately 48 per cent of Republic.

Repayment of some part of loans, amounting to \$4,000,000, made by CFI, to Republic, should give some assurance of probable arrears payment on Consolidated's preferred.

John St. Clair Dead

Chicago—John St. Clair, Columbia salesman, is dead here after a long illness. His widow and four children survive.

"George Washington" Acquired by Warners

Film rights to the George S. Kaufman-Moss Hart legit. piece, "George Washington Slept Here," have been acquired by Warners which will bring it to the screen with an all-star cast. Pix probably will go on the 1941-42 program.

EXHIBS. WANT ACTION, BIG CASTS

Less Dialogue, Fewer Parlor Dramas Urged at Para. Coast Meeting, Says Ralph Branton

De Moines, Ia.—Film industry believes the American market can absorb the loss of the European field, if the right pictures are produced, G. Ralph Branton, general manager of the Tri-States Theater Corp., reports on his return from the Hollywood parley of Paramount execs.

Branton points out that there is a general agreement among the exhibitors as to what the public in America wants—action, with big outdoor sets and big casts.

\$8,000 to \$9,000 Daily Advance for "Fantasia"

(Continued from Page 1)

eration to handle the crowds, while telephone services have been increased from four to 12 trunk lines to accommodate incoming calls for reservations. Theater staff was tripled last week.

Philly Allied Opposes Specific Pix Price Tilts

(Continued from Page 1)

such policy. No specific distributors or pictures were named.

The meeting also clarified the situation as regards the defense tax on student admissions for members.

Removal of Indian Duty on Pix Sought

(Continued from Page 1)

the income taxes enacted by the Central Government.

Pinch of the war is being felt by the industry. Production costs have risen sharply. A number of established studios have suspended activities, while in other instances, consolidations have been effected in an attempt to meet the situation.

Taylor as "Billy the Kid"

West Coast Bureau of THE FILM DAILY

Hollywood—Robert Taylor will have the title role in Metro's Technicolor production of "Billy the Kid," which will be directed by Frank Borzage. Brian Donlevy, Ian Hunter and Maureen O'Sullivan are announced for important roles. Irving Asher will produce.

Documentary at Music Hall

"The Disinherited," a documentary film on New York's Dead End Kids, will be shown at the Music Hall tonight. Subject was produced by Paul Huser for the Children's Aid Society. John Kieran is the narrator.

Collins Again Bereaved

Detroit—Charles Collins, state rights distributor, lost his four-year old daughter, Corinne, from pneumonia—his second child to die within eight months.

"There will be less dialogue, fewer parlor dramas, less of Hedy Lamarr and more of Judy Garland," Branton declared.

As the typical pictures of the future, he mentioned, "Boom Town," "San Francisco," and "North West Mounted Police."

Musical pictures will be made, he said, but they will feature popular music almost exclusively. "That's what the theater men wanted," he asserted.

Coast Production Rises; 10 New Features Start

(Continued from Page 1)

Amanda Duff, Richard Fiske, Anne Revere and Ralph Penney.

At Paramount: "Las Vegas Nights" starring Allan Jones and Bert Wheeler with Constance Moore, Virginia Dale, Lillian Cornell, Tommy Dorsey and his Orchestra; and, Harry Sherman's "Border Vigilantes" starring William Boyd.

At M-G-M: "Blossoms in the Dust" starring Greer Garson and Walter Pidgeon.

At RKO-Radio: "They Met in Argentina" with Maureen O'Hara, Alberto Vila, Buddy Ebsen, Betty Jane Rhodes; and, Stephen-Lang's production, "Prodigy" starring Jean Hershold with Fay Wray, Walter Wolf King and Schuyler Standish.

At Republic: "Valley of the Moon."

At 20th Century-Fox: "Tobacco Road" with Gene Tierney, Charley Grapewin, Marjorie Rambeau, William Tracy, Elizabeth Patterson, Slim Summerville, Ward Bond and Grant Mitchell; and, "Uncensored" with George Sanders and Evelyn Ankers.

At Universal: "Sky Raiders."

Tracy to Do "Dr. Jekyll"

West Coast Bureau of THE FILM DAILY

Hollywood—Spencer Tracy will be starred in Metro's picturization of Robert Louis Stevenson's famous novel, "Dr. Jekyll and Mr. Hyde." Victor Fleming will direct, with Victor Saville the producer.

Miami "Neighbor" Debut Off

Miami, Fla.—Multiple world premiere here of the Jack Benny-Fred Allen picture, "Love Thy Neighbor," scheduled for Dec. 20, is out.

Louis Perunko Stricken

Tacoma, Wash.—Louis Perunko, 52, owner of the K Star and Sunset Theaters here is dead from a heart attack.

Join "Tobacco Road" Cast

West Coast Bureau of THE FILM DAILY

Hollywood—Grant Mitchell and Elizabeth Patterson have been added by 20th-Fox to the cast of "Tobacco Road."

D of J's Unit Will "Police" Industry

(Continued from Page 1)

made by Assistant Attorney General Thurman W. Arnold.

The motion picture unit will have as its primary duty the general supervision of the industry to see that no new abuses not covered by the decree arise. The idea, it was stated, is to call the majors' attention to any new practices which the Government may consider in violation of the Sherman Anti-Trust Laws and to request the companies to discontinue any such potential practices.

The unit will check on the workings of both the decree and the arbitration provisions. Government attorneys assigned to this unit will scrutinize company selling practices to make certain they conform with the decree, it was ascertained. The unit will also handle complaints of exhibitors and adjust them if possible.

Cuban Exhibs. Predict Dire Results from Decree

(Continued from Page 1)

lows what the exhibitors see as a result of the measure:

"1. Reduction in the importation of foreign motion pictures, inasmuch as guarantees offered to foreign producers are not large enough.

"2. Destruction of the motion picture business, assuming that theaters do not have guaranteed material and run the risk of being closed or discredited for lack of quality material which audiences demand.

"3. Our people do not benefit in any way from the decree, but may be prevented from having the benefit of seeing better motion pictures which will not be imported because the pictures are not guaranteed to be contracted for in the Cuban market."

Petition is signed by The National Union of Motion Picture Theater Owners; The Association of Motion Picture Distributors of Cuba, and The Motion Picture Association of Havana.

20th-Fox Suspends Geo. Sanders

West Coast Bureau of THE FILM DAILY

Hollywood—George Sanders, who has refused to appear in "Uncensored" for 20th Century-Fox, where he is under contract, has been suspended. John Loder, placed under a long-term contract, will replace Sanders in the picture.

"Nazi Spy" Finally Okay in Argentina

Buenos Aires (By Air Mail)—Warners, after a year's efforts, have secured a censor's okay for the release here of "Confessions of a Nazi Spy." Pix will go out as "Confessions of a Secret Agent" with some minor cuts. Change in censors' attitude is largely credited to Foreign Minister Roca.



SHORT SUBJECT REVIEWS



"Arms and The Men—U.S.A."

RKO 19 mins.

Impressive And Up To The Minute

The March of Time brings to the screen in this issue the story of America's new and rapidly expanding citizen army and other defense measures in impressive fashion. The material is as up to the minute in interest value as today's news stories, and it should create a profound impression on the minds of the millions of American theatergoers who will see it.

The film depicts, step by step, how the country is concentrating and daily increasing its arms output, and shows how the new citizen army is mustered from the time the draft numbers were drawn until they are under arms in a camp.

Going into training camps throughout the country and filming mechanized divisions as well as infantry in the field, the material is absorbing and the narrative is highly interesting. Film is on a par with the best releases in the noteworthy MOT series.

"Screen Snapshots"

Columbia 9 mins.

Movie Fan Interest

Reel is devoted to the inauguration of Smiley Burnette as honorary mayor of Studio City. Don Wilson acts as master of ceremonies and makes the introductions, with a lot of laughs provided by some of Hollywood's top comedians. Richard Arlen, Andy Devine, Hugh Herbert, Bob Burns, Billy Gilbert, Jerry Colonna, Parkyakarkus, Gene Autry, Martha Raye and a number of other movie-stars are seen and heard with entertaining results.

"Mr. Mouse Takes a Trip"

RKO-Disney 8 mins.

Funny Cartoon

The irrepressible Mickey Mouse and the equally irrepressible Pluto encounter some amusing difficulties in this short. Mickey sets out with Pluto to pay a visit to Pomona. He is promptly booted off the train because no dogs are allowed, but he circumvents this by cramming Pluto into a suitcase. Mickey and Pluto have lots of conductor trouble before they arrive at their destination, happily being thrown off the train just as it passes through Pomona.

"Sportsman's Partner"

RKO-Pathé 9 mins.

Fine Sport Reel

Cocker Spaniels are the subject matter of this entertaining sport short. The well liked dogs are seen at work and at play under the many different conditions they are called upon to meet when they serve as hunting dogs. Reel was filmed in ideal hunting country in Connecticut, pheasant, quail and grouse being shot and retrieved by the dogs.

Some excellent camera work, including some close-ups of birds in cover that must have been hard to get, highlight the subject. Frank Donovan gets credit as the producer.

"Our Monroe Doctrine"

Academic Film Co. 20 mins.

Timely and Inspiring

Timely and inspiring, this second in the series of eight historical two-reelers produced by Max and Arthur Alexander, and written and directed by G. A. Durlam, deserves wide showing. Aneant its current appropriateness, this film comes along at a time when the foreign policy of the U. S., backed by the overwhelming majority of informed citizens—has strongly re-enunciated the principles set forth in 1823 by President James Monroe with regard to non-interference by foreign powers in the affairs of the Americas.

Regardless of how well defined the Monroe Doctrine is in the minds of our citizens, this footage will enhance one's knowledge of the circumstances under which the doctrine was wrought, and the spirit which brought it into being. Accounting chiefly for this ability of the picture is its dialogue, based wholly on documentary evidence. Visually, the two-reeler presents President Monroe being assured of the wholehearted support of his Secretary of State, John Quincy Adams, and that of Henry Clay, Speaker of the House, in the move to make the Americas immune to political meddling from abroad.

Adams is shown in a spirited interview according to an Austrian emissary whereat the latter is pointedly told of the U. S. determination to defend the liberty and freedom of action of the Pan-American nations. Additionally is portrayed the reading of the Adams-drafted doctrine by President Monroe in connection with his message to Congress on Dec. 2, 1823.

Boyd Irwin has the role of Monroe. Robert Frazer that of Adams; Ted William is Clay; James Craven plays Calhoun; William Costello the Austrian emissary, and Hansel Warner a secretary.

Associate producers are J. Milton Selzburg and Harold Baumstone. Photography is by Robert Cline; sets by F. Preble; Sound by C. Ruberg; and Editing credited to Charles Henkel.

"Islands of the West Indies"

Columbia 9 mins.

Timely and Interesting

Featuring the island of Martinique, a headline attraction in newspapers today, this short is interesting and timely in relation to the many discussions now being held about national defense and the part the West Indies play in that defense. Short was produced by Andre De La

Varre for Columbia. Curacao, Trinidad and Martinique are seen in the subject, with a commentary relating their histories and importance in the world of today. The photography is excellent and the material interesting and well chosen.

"Crystal Gazers"

(Excursions in Science No. 7)

Al O. Bondy 9 mins.

Unusually Good Reel

This is an unusually interesting reel, dealing as it does with the fascinating subject of crystals. Narration at footage's outset pointedly conveys that while there may have been little science in the mystic practice of crystal gazing, there is much crystal gazing in modern commercial research science. Crystals resulting from a supersaturated solution of sodium sulphate are shown by way of imparting to the audience the simpler form of crystal structure and collection.

Also depicted is the crystal gazing of metallurgists to determine certain properties of a metal or alloy; the different behavior of single crystals than when in a crowd; how a crystal may be easily bent in one plane while

doggedly resisting bending in the opposite plane; and, as the climax of this short, how crystals are used in the field of radio. This latter sequence is very informative and well presented. Theater patrons don't have to be sophisticated in the ways of science to thoroughly enjoy this picture. It's engaging and unusual film fare.

"A First Line of Defense"

United Hospital Fund 9 mins.

Fine Documentary

Released in connection with the current 1940 drive by the United Hospital Fund, this documentary short deals with the work of all types of voluntary hospitals in the Met. area aided by the Fund. Film is a contribution to the Fund by Roy E. Larsen, president of Time, Inc., and is offered free of charge to exhibitors.

It shows how the Fund works, what it supports and the many phases of work connected with these hospitals from the training of nurses to research. Film is expertly presented in an appealing fashion that carries home to the public the necessity and scope of the work done.

Seconds tick out a lifetime
of adventure in



BLACKOUT

the love story that happened
ONE MINUTE AGO as London fights NOW!

Released thru UNITED ARTISTS

YES

It's A Wedding

Advertising and the box-office
... one can't get along without
the other.

Advertising and showmanship...
that's a marriage too... one can't
live without the other.

Yes... it's a wedding... and here at
National Screen Service a nation-
wide organization devotes its
entire existence toward keeping
that marriage a happy one... a
healthy one... a successful one so
that the wedding of advertising
and your box-office... advertis-
ing and showmanship... will
be a perpetual and profitable
honeymoon.

For our every waking moment
sees a constant drive towards
newer... better... more appealing
theatre advertising... mating your
box-office with the admission
price... thus selling more tickets.

Get the money-making habit
... use TRAILERS ... LOBBY
DISPLAYS ... STANDARD
ACCESSORIES by

...THE PRIZE BABY OF THE INDUSTRY



USE ALL THREE!

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 104

NEW YORK, WEDNESDAY, NOVEMBER 27, 1940

TEN CENTS

DIVORCEMENT WAS A FAKE ISSUE—MPTOA Distributors to Fight for Army Camp Clearance

Issue Raised at Anniston As Fort McClellan General Wants Equal Availability

Distributors are expected to put up a fight against the plan of Maj. Gen. William Haskell, commander of the 27th New York Division at Fort McClellan, Ala., who proposes to re-shuffle the clearance ruling of the post's three theaters, now booked by the U. S. Army Motion Picture Service. If General Haskell is successful in his plan, all theaters adjacent to army camps may be affected.

It is understood that General Haskell (Continued on Page 4)

Warn Exhibs Against Product Dissipation

Indianapolis—Exhibitors attending the Indiana Allied convention were warned yesterday against dissipating too many good pictures at this time. Tom Baker, head of Affiliated Theaters, Inc., of Indianapolis, advised theater men to hold some of the better pictures until next summer before the new rules of selling, as (Continued on Page 2)

Form Company to Produce Seven Spanish Pix in East

Plans for the production of seven Spanish language pictures to be made in the East have been announced by Spanish Artists Films, Inc., recently formed here. Negotiations are reported under (Continued on Page 8)

You Might Try This

Lincoln, Neb.—Avin Hendricks, manager of the Variety, framed an unusual way to get a raise. When he received that confidential info from the state selective service board about not discriminating against employment of men of draft age, he fired himself, wrote a letter to the selective service board protesting, showed it to himself and threatened unless hired back at an increase in salary he'd send it off, so he was black-mailed into the raise. At least, that's what he told his boss, General Manager Howard Federer.

Decree is Composed of "Strange and Tricky Clauses," "Meaningless Proposals"—MPTOA

Endless arguments "for years to come" over what the consent decree means are predicted by Ed Kuykendall, MPTOA prexy, in a general bulletin which also warns exhibs. that they must be prepared to pay extra sales costs of distribs. "in increased film rentals or decreased quality. There is no other choice."

"It will take a long while to unravel all of the strange and tricky clauses that make up the whole decree, much of which we are convinced are empty, meaningless proposals set forth in impressive language," says Kuykendall. "Like some of the arguments made on the decree, they are full of sound and fury but signify nothing. Ultimately the arbitrators will decide just how it will be interpreted and applied, particularly the New York Appeal Board."

UA Devising a New Plan of Operation

West Coast Bureau of THE FILM DAILY

Hollywood—A plan of operation that will be most acceptable for owners and non-owning producers of United Artists is being worked out here by the company's stockholders. It is reported that the non-owning producers will have more to say regarding distribution than in the past.

Necessity for such an arrangement (Continued on Page 8)

Jewish Charities Drive To Exceed 1939 Figure

Committeemen attending yesterday's Amusement Division luncheon meeting in the Hotel Astor heard first reports indicating that the New York and Brooklyn Federations of (Continued on Page 2)

Foreign Pix Up Despite War N. Y. Censors Report Gain in Revenue

Argentine Grants Dollar Exchange for Film Imports

Buenos Aires (By Cable)—Finance Minister Pinedo has granted dollar exchange for film imports and at the same time has assured importers their full quota of permits, making possible the continuation of film imports under current regulations. It is (Continued on Page 8)

Jersey Court Rules Bank Night Illegal

Newark, N. J.—Ruling Bank Night a lottery and declaring a contract based on gambling is contrary to public policy and not enforceable Circuit Court Judge William A. Smith dismissed a suit for \$1,140 against A. & G. Amusement Co., operators of the Majestic theater in Paterson. The theater company was sued by William Furst, New- (Continued on Page 6)

AFM to Continue Fight In AGMA Case—Petrillo

New Orleans—The AFM will continue its fight in the AGMA case, James C. Petrillo, president of the American Federation of Musicians told THE FILM DAILY as he made his (Continued on Page 8)

Consent Decree Realizes Only One 10-Point Plan Objective—Kuykendall

Inclusion of theater divorcement in the Government's anti-trust suit was a fake issue, Ed Kuykendall, MPTOA president, declares in a general bulletin, made public yesterday.

"This phoney issue," Kuykendall writes, "was devised for exhibitor politics, agitated with tongue-in-cheek glibness to force concessions by the distributors, as a sort of polite blackmail."

Kuykendall insists that "whatever evils and abuses there are in circuit theater operations are not due to any distributor interest in theaters, any (Continued on Page 6)

May Hear Exhibitors On New FWC Decree

Members of the Pacific Coast Conference of Independent Theater Owners and other territorial exhibs may have an opportunity to air their views on the new consent decree designed to replace that signed some years ago by Fox West Coast, it was learned yesterday.

The decree, which is being sent to Special Assistant Attorney Generals (Continued on Page 8)

Para. Partners Won't Unite For Consent Decree Battle

Any pressure to be brought against the consent decree by Paramount theater partners will be done individually and not collectively, it was stated here yesterday. Protests or concerted action that may be launched by the individual partners are expected to be made through (Continued on Page 8)

Rep.'s \$50,000 Plug

West Coast Bur., THE FILM DAILY Hollywood—Republic will spend \$50,000 on trade paper advertising alone on "Melody Ranch" which will be tagged Gene Autry's first \$500,000 all-star production.

THE FILM DAILY

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JOHN W. ALICOATE : : : : : Publisher

DONALD M. MERSEAU : : : : : General Manager
CHESTER B. BAHN : : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Friedman, The Film Center, 127-131 Wardour St., W. 1. PARIS—A. A. Harle, La Cinematographie Francaise, 29 Rue Marceau (12). MEXICO CITY—Marco Aurelio—Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Tuesday, Nov. 26)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.				
Col. Fics. vtc. (2 1/2%)	5 1/2	5 1/2	5 1/2	
Columbia Pict. pfd.				
Con. Pm. Ind.	9 3/4	9 3/4	9 3/4	1/8
Con. Fm. Ind. pfd.	9	9	9	1/8
East. Kodak	141 1/4	140 1/4	141	1/4
do pfd.				
Gen. Tel. Eq.	10 1/2	10 1/2	10 1/2	1/4
Loew's, Inc.	30	28 3/4	29 3/4	1/2
do pfd.				
Paramount	9 1/2	9 1/2	9 1/2	
Paramount 1st pfd.	98 3/4	98 3/4	98 3/4	5/8
Paramount 2nd pfd.	10 1/4	10	10 1/4	1/8
Pathé Film	10 1/2	10	10	1/4
RKO	2 3/4	2 1/4	2 1/4	1/8
RKO 5¢ pfd.	34 1/4	34 1/4	34 1/4	1/8
20th Century-Fox pfd.	5 1/2	5 1/2	5 1/2	
Univ. Pict. pfd.	16	15 1/2	16	1/8
Warner Bros. do pfd.	3 1/4	3 1/4	3 1/4	

NEW YORK BOND MARKET

Keith B. F. ref. 6% 46			
Low's deb. 3 1/2% 46			
Para. B way 3 1/2% 50	49 7/8	50	3/8
Para. Pict. 6% 55			
Para. Pict. 3 1/2% 47 93 1/2	93 1/2	93 1/2	1/2
Warner Bros. deb. 6% 48 91 1/2	91 1/2	91 1/2	1/2

NEW YORK CURB MARKET

Monogram Pict.			
Sonotone Corp.	1 1/2	1 1/2	1 1/2
Technicolor	9 1/4	9 1/4	9 3/4
Trans-Lux	1	1	1
Universal Corp. vtc.			
Universal Pict.			

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. '45	Bid	Asked
Rox. Theat. Bldg. 4 1/2 '57	66	69
	62	64

M & P, Lockwood-Gordon To Use Cash Quiz Game

Boston—"Cash Quiz" will be given a try in this territory provided the authorities okay it as calling for a certain amount of brain work and skill. Game will be distributed here by Premium Promotion Syndicate, 40 Church St.

Lockwood & Gordon circuit and the M & P are expected to use it in some spots.

Warn Exhibs. Against Dissipation of Product

(Continued from Page 1)

set forth in the consent decree, go into effect.

All officers were re-elected for the coming year. They are Roy Harold, president; Ernest Miller, vice-president, and Harry Markum, treasurer. New directors were named for the nine districts into which the state organization is divided.

In an open discussion of Educational pictures and programs in connection with the public schools and the general demand for motion picture programs in schools, it was advised to co-operate rather than discourage the special matinees in theaters. Latter could only result in the installing of motion picture equipment in public schools, thus spreading the use of 16-mm. machines for non-theatrical use, it was asserted.

Abram F. Myers, general counsel of Allied discussed the consent decree at a closed session.

The annual banquet was held last night, closing the two-day meeting.

20th-Fox Contracts Run Even with 1939—Wobber

Returning yesterday from a visit to the 20th-Fox studio and some of the Coast branches, Herman Wobber, general manager of distribution, expressed optimism over company business and film business in general. He reported that contracts closed are up to last year's total for the same period and said he expects "Tin Pan Alley" to be one of the biggest grossers the company has ever had.

200 More Theaters Get "The Letter" Tomorrow

Because of different Thanksgiving Day dates in various states of the country, Warners are confronted with unusual situation of having two release dates for "The Letter." Sold for Thanksgiving Day delivery, picture was officially released in all states observance Nov. 21 as Thanksgiving. Tomorrow, die-hard states' Thanksgiving, Dav. "The Letter" will be officially released in over 200 theaters in Connecticut, Pennsylvania and Massachusetts.

GWTV Ends Run in B.A.

Buenos Aires (By Air Mail) — GWTV has closed here after eight weeks at the Ideal and four at the Gran Teatro Broadway.

GWTV has been shown for 8 weeks in Rio, for seven weeks in Sao Paulo (Brazil) for six weeks in Santiago de Chile, and for five weeks each in Montevideo (Uruguay) and Lima (Peru).

Swiss Pix as "Counterfeiter"

French Cinema Center will release "L'Or Dens La Montagne" as "The Counterfeiter." Pix was made in Switzerland.

Jewish Charities Drive To Exceed 1939 Figure

(Continued from Page 1)

Jewish Charities drive will exceed the record sum of \$150,000 raised last year for the Federations' health and welfare agencies in Greater New York.

Maj. Albert Warner, co-chairman of the Amusement Division, presided, and Louis Nizer outlined needs of the institutions for which the drive is conducted.

An arrangements committee for the annual luncheon was named, comprising Marvin Schenck, Leopold Friedman, B. S. Moss and Ben Bernine, with Louis Nizer in charge of the speaking program.

Among those who attended yesterday's meeting and reported on progress in various branches of the industry were: Herman Bernie, Max B. Blackman, Harry Buxbaum, J. J. Lee, Max Cohen, M. J. Fessler, Alan E. Freedman, Miss I. H. Garretson, Arthur Israel, Jr., Jules Levey, B. S. Moss, Harry Nadel, Louis Nizer, Louis Phillips, L. W. Schneider, Walter Reade, Jr., David Miller, Sam Rinzler, Herman Robbins, Harold Rodner, Max Rudnick, Edward N. Ruoff, Abe Schneider, Joseph H. Seidelman, Sam Shain, Saul Trauer, Major Warner, A. P. Waxman, David Weinstock, Max Seligman, Leon Goldberg, Charles Moses.

To Examine Eastman, Erpi Officers in Posen Case

New York Supreme Court Justice Isidor Wasservogel yesterday granted an application of Samuel I. Posen to examine before trial officers of Eastman Kodak Corp. and Erpi and to inspect books and records of those companies. Posen seeks the examination in aid of his suit as director against Universal Pictures, Erpi, Eastman Kodak and other companies in which he claims that the defendants conspired to transfer assets of Universal on insufficient compensation.

Radio Show Sponsors Want "Santa Fe" Debut

Warners' elaborate plans for the world premiere at Santa Fe, N. M., on Dec. 14 of "Santa Fe Trail" have aroused unusual interest in radio advertising circles, with the result that the company is mulling over four or five offers from sponsors who would like to tie-in a one night shot from the New Mexico city, it was learned yesterday. Premiere itself is the keystone of a state celebration of Santa Fe Trail Days Dec. 13-15. Radio show would be sent out from Santa Fe either on the 14th or 15th, with Warners making available some \$25,000 worth of talent.

Deitz Gets PRC Franchise

West Coast Bureau of THE FILM DAILY

Hollywood—A. R. Deitz, formerly branch manager for GB, has been awarded the St. Louis franchise for PRC.

COMING and GOING

ANDY W. SMITH, JR., sales manager for RKO planned out for the Coast last night via American Airlines for huddles with district and branch managers.

JAMES R. GRAINGER, president of Republic, has returned to the home office from Chicago, Memphis and Washington, D. C.

E. C. BEATTY, president of the Butterfield circuit, Detroit, is in New York on a business trip.

W. F. RODGERS is due back here tomorrow from Chicago and Detroit.

WILLIAM BULLOCK, in charge of general administration at RCA Photophone's Hollywood office, and BARTON KREUZER, in charge of Photophone sales and recording operations on the Coast, are in Camden for a week's huddle at the home office.

PHIL REGAN arrived on the Coast last night from New York.

HUMPHRY BOGART and his wife, MAYO METHOT, arrive here this morning from the Coast.

HARLAN BRIGGS arrives here from Hollywood the first part of next week.

TERRY TURNER, head of RKO Radio's field staff, left last night for Denver.

Advance Prices 12-17c For "Arizona" in K. C.

Kansas City—If local precedent is followed nationally, box-office prices for "Arizona" will represent increases of from 12 to 17 cents above normal house scales.

Loew's Midland is playing the Columbia pix at 40-61 cents as compared with the usual 28-44 cents scale.

Advanced admission policy here has been successful, with attendance above average.

Libeled, Charges Flynn In \$2,000,000 Action

A \$2,000,000 libel suit was filed yesterday in the New York Supreme Court by Errol Flynn against Constanza de la Mora, Harcourt Brace & Co., Inc., and Quinn & Bowden Co., Inc. Flynn claims that the book "In Place of Splendor" describing the Spanish Civil War states that the plaintiff visited Spain for publicity purposes.

Strand, Syracuse, Closing

Syracuse, N. Y. — RKO Schine Strand here closes Dec. 5 for heating system improvements. House will re-open Christmas Day.



From THE FILM DAILY to Herbert J. Ochs Madge Allwyn John Hunter Booth

Many Great Pictures Were Released in
November but Robbin Coons of the
Associated Press says—

THE BEST PICTURE OF THE MONTH

is

Walter Wanger's
John Ford Production of Eugene O'Neill's

THE LONG VOYAGE HOME

with
John WAYNE • Thomas MITCHELL • Ian HUNTER

BARRY FITZGERALD • WILFRID LAWSON • JOHN QUALEN
MILDRED NATWICK • WARD BOND • *Directed by* JOHN FORD

Adapted for the screen by Dudley Nichols • Produced by Argosy Corporation

—and 1,200 Associated Press news-
papers spread the news to more than
ten million readers!

Held Over . . .

2nd Week—Grand, Cincinnati
Held over—Keith's, Boston
2nd Week—Apollo, Chicago
3rd Week—4 Star, Los Angeles
4th Week—Rivoli, New York City
..and it's the big Thanksgiving At-
traction at the Aldine, Philadelphia!

Released thru
UNITED ARTISTS

P.S. Best Picture of the Month too, in The Hollywood Reporter Poll.



Foreign Pix Imports Rise Despite War

(Continued from Page 1)

Cuba, Norway, Argentina, Austria, Spain, Ireland, Finland, Ethiopia, Egypt, Italy, Russia, Hungary, Sweden, Poland, Czechoslovakia, Mexico, China, France and Germany. No break-down on the number from each country is available.

Censor Esmond's report shows a net revenue from reviewing and licensing motion pictures, except newsreels, of \$311,800, an increase of \$13,727 over the preceding year, while expenditures were \$63,878 or approximately \$3,500 less than in 1938-39.

A total of 1,762 full-length films were reviewed during the year, nine being rejected in their entirety (though later "Ecstasy," "Whirlpool," "Fools of Desire" were revised and approved by the Board of Regents). Eliminations of 926 scenes, subtitles and dialog were made on statutory grounds in 111 films.

Esmond's report stated that the Motion Picture Division has more work than the records show, since conferences are held with the representatives of producers in New York with constructive suggestions being made for the revision of pictures to relieve them of objections.

Esmond, using Attorney General John J. Bennett's recent ruling, pointed out in connection with an increase in 16 millimeter films that excepting newsreels, the latter come within provisions of the statute and must be submitted for licensing before exhibition "at any place of amusement for pay or in connection with any business in the State of New York."

In addition to licensing or rejecting pix, Motion Picture Division also inspects theaters or places where films are exhibited, stored or used to see that the license leader is displayed in accordance with statutory provisions and that film has been licensed.

Stowell Funeral Tonight

Funeral services will be held tonight in Ven Emburg Funeral Parlor, Ridgewood, N. J., for Clarence Warner Stowell, 56, who played the role of the Congressman in the M. T. s "The Ramparts We Watch." Stowell died in Paterson, N. J., on Monday night.

STORKS!

Edward Sokolowsky, manager of the Plainfield, Conn. Theater is father of a second boy, Michael, born at Backus Hospital, Norwich, Conn. and weighing 8 pounds 3 1/2 ounces.

Williamsport, Pa. — A daughter, the fourth, was born to Mr. and Mrs. Gregory H. Back. Father is manager of the Capitol Theater.



• • • HOT off the Warner shelf currently comes a picture..... which is hotter today on every count than when it was first released..... We mean "Here Comes the Navy"..... It's taking nothing away from the WB genius..... to assert that if its Burbank forces decided to make a brand new calluloid opus re our Navy..... it would, indeed, be difficult to turn out a more timely, actional and stirring opus than the aforementioned..... which, you will recall, has the Messrs. Pat O'Brien and James Cagney, along with the easy-on-the-eyes Gloria Stuart, in the top roles.....

• • • TODAY, as never before, the American people are Navy-minded..... and there are several thousand film houses which can profitably and constructively bring this picture back to their screens..... It's even more of a "natural" for stands which somehow never got around to playing it during the span of its former general release..... Let's weigh the assets of this attraction:.....

(1) The Cagney-O'Brien combo means more on marquee than ever..... (2) The new general release (commencing Dec. 21) carries the aggregate prestige and pulling power of the stars teaming in "Boy Meets Girl," "Devil Dogs of the Air," "The Irish in Us," "Ceiling Zero," "Fighting 69th" and "Angels With Dirty Faces"..... (3) The new general release will be fortified via a world premiere at the Warner Theater in Memphis on Dec. 6..... (4) Circuits and exhibs. will have the advantage of a fine national campaign on the film to make turnstiles click..... (5) In this corner's seagoing opinion, "Here Comes the Navy" is the most dynamic, true-to-life drama of the enlisted man yet filmed, and going forth again to theaters will build a deep respect for the discipline and valor of that service.....

• • • STUFF:..... According to reports, there'll be no pullin' of punches when Martin Starr, radio commentator on pix and the stage, speaks tomorrow night to judges and lawyers at the Elite Club in Brooklyn on the topic: "Radio Reviewers of Movies: Should They Be Taken Seriously?"..... Jean Herbert, Don George and Teddy Hall have fashioned the score and title tune, "Ridin' on a Rainbow," for Gene Autry's next musical western at Republic..... A Denver dispatch says that the ladies of the Rocky Mountain Screen Club are adopting three girls as their share of the charity work being done by that organization, and that the girls will be clothed, fed and put through school under the direction of a committee headed by Mrs. Henry Friedel..... And from Miami Beach: George N. Hoover, new head of Paramount Enterprises, Inc., has been re-elected prexy of the Forty-First St. Ass'n, an org. composed of biz men located in that section of Miami Beach,—and that Austin Moon, manager of the Sheridan Theater, has been named a member of the executive committee..... A special half-hour all-star broadcast will go over WJZ tomorrow night from the stage of NBC's Ritz Theater from 7:30 to 8 p.m. in behalf of the 1940 appeal of the New York and Brooklyn Federations of Jewish Charities, with Al Jolson, Eddie Cantor, Carol Bruce and Frank Black's ork as the entertainment attractions, and former Supreme Court Justice Joseph M. Proskauer, chairman of the Federation campaign, delivering a brief address..... Godspeed to the greatest of "Night of Stars" to be held in Madison Sq. Garden tonight, and a big hand to Marvin Schenck and his aides for gathering the unprecedented array of performing talent!.....

Distribs. Will Fight Army Camp Clearance

(Continued from Page 1)

kell wants to present pictures in the camp theater at the same availability as the theaters in Annniston, about six miles away. Under present arrangements, the camp theater must follow Annniston by 30 days, but the General wants to give his soldiers brand new pictures.

General Haskell, pointing out that the Fort already has 15,000 troops and shortly will have 20,000 as compared with Annniston's total population of 25,477, calls the clearance rule locally a case of "the tail wagging the dog."

General Haskell was quoted in The New York Times yesterday as saying that "We're not from the sticks. When you bring boys here from New York and for several months give them pictures they have seen on Broadway, they don't like it." The General also wants the admission price reduced from 20 cents to a dime.

Distribution sources yesterday said they would not ask the theaters in Annniston or any other city near an Army camp to cut their clearance for an Army theater. Whether they can be compelled to do so, inasmuch as the General is taking up the matter with the War Department, is a question that cannot yet be answered.

Army Camp Film Bookings Spurt Under Defense Plan

New Orleans—Film bookings for Army camps show an up-trend in the Gulf States area as a result of the speed-up of national defense. An idea of the importance of the new bookings may be gathered from the fact that this territory, formerly handled out of Washington by the civilian-operated United States Army Motion Picture Service, is now in a new division with booking offices in Atlanta under the direction of M. W. Smith, veteran of the service.

Films are now being shown in black-topped tents in Camp Beauregard, Alexandria, La.; Camp Shelby, Hattiesburg, Miss., and Fort Barranca, Pensacola, Fla. The last named is a survivor of an old Spanish garrison post. Theaters to replace the black-tops are to be erected shortly.

Poller's Brother Killed

Nathan Poller, a brother of M. G. Poller, head of RKO Radio's playdate department, was killed late Saturday night in an automobile accident near Washington. Funeral services were held yesterday at the Riverside Memorial Chapel.

What? No Fun? ?

Chicago—On the B & K Granada marquee the other day: "No Time for Comedy" with "Brigham Young."

★ GENE AUTRY'S FIRST \$500,000 ALL-STAR PRODUCTION! ★

MELODY RANCH

A REPUBLIC PICTURE



GENE AUTRY ★ JIMMY DURANTE
ANN MILLER ★ BARTON MACLANE • BARBARA ALLEN

GEORGE "GABBY" HAYES • JEROME COWAN • MARY LEE • JUSTY • SANDY CLAWSON

Divorcement a Fake Issue, MPTOA Holds

(Continued from Page 1)

more than they are due to exhibitors owning stock in a distributing company." He adds that "if all such affiliations were abolished, it would cure none of the abuses in our business, and we believe the Department of Justice discovered that when they got to preparing their case."

Because the divorcement issue was a "fake, that could produce no benefit" to exhibitors, Kuykendall declares the MPTOA refused to be "roped in on the scheme."

One MPTOA Objective Attained

Of the 10 specific complaints and proposals advanced by the MPTOA several years ago, only one, the separate score charge, was fully achieved before the anti-trust suit was filed, Kuykendall declares. Taking each of the parts of the so-called 10-point plan and comparing them with the results of the recently-approved consent decree, the MPTOA president points to the results as follows:

1. Block-booking: Nothing accomplished in the consent decree. No cancellation provided, inevitable effect to abolish cancellation rights entirely. Wholesale buying sharply restricted. Blind-selling completely abolished and with it the stability of an assured supply of pictures.
2. Organized conciliation of trade disputes by a local agency: Nothing accomplished. Relies exclusively on outside arbitration.
3. Unreasonable clearance: Relies exclusively on outside arbitration.
4. Competitive overbuying: Highly restricted "remedy for discrimination" and for "refusing to license some run" subject to outside arbitration.
5. Unfair cut-rate competition between theaters, including double and triple features, giveaways, etc.: Nothing accomplished.
6. Simplified standard form of exhibition contract: Nothing accomplished.
7. Unfair non-theatrical competition: Nothing accomplished.
8. Separate score charge: Abolished before the consent decree by "persistent effort of MPTOA." No longer a problem.
9. Designation of play dates on unsuitable pictures: Nothing accomplished.
10. Forcing short subjects: Involved prohibition of dubious effectiveness, relying on outside arbitration.

Assails Outside Arbitration

Kuykendall's bulletin is especially bitter against the plan to have outsiders arbitrate disputes. Because the motion picture business is so different from other industries, Kuykendall believes that controversies should be heard by men who understand the problems of exhibition and distribution and not by men who

"FOG CHECKS" FOR DRIVE-IN

It's the Texan Innovation of F. F. McHenry

Houston—"Fog checks" have become part of the standard equipment at Houston's Texas Drive-In Theater, recently purchased by Underwood & Ezell of Dallas.

In the Gulf coast country heavy fogs come up in a few moments at certain periods of the year. F. F. McHenry, new manager of the theater, ran into such a fog on his first night in Houston. After the show had run a few minutes a fog appeared and blotted out the spectators' vision.

McHenry immediately announced fog checks would be issued—the first of that nature in Texas, maybe in the U. S. They were makeshift checks, but the next day the theater was supplied with the printed thing.

have had no connection with the business.

Says Kuykendall:

"One of the main advantages of arbitration over a law suit has been a 'friendly court' composed of arbitrators who understood the business and the local situations with which they were called upon to deal. Now we are asked to submit our complaints to 'outside arbitrators,' entirely away from the motion picture business, who have no background of experience or knowledge of what it is all about, and try to make them understand our problems in a brief arbitration hearing. You can imagine what is going to happen, if you have ever watched a motion picture lawsuit and watched a court or jury struggle to unravel the arguments and testimony presented, unfamiliar as they are with our business."

RKO's Western Managers To Hear Smith on Decree

Methods of handling distribution under the consent decree will be discussed with RKO managers in Los Angeles, San Francisco, Portland, Seattle, Salt Lake City and Denver by Andy W. Smith, sales manager. Smith left last night for the Coast via American Airlines.

New product and organization methods also will be discussed by Smith who will be accompanied by J. H. MacIntyre, western district manager.

Decree Selling Plan Seen No Improvement by Denton

Knoxville, Tenn.—George L. Denton, local circuit operator, does not believe the new blocks-of-five selling plan provided under the New York equity suit consent decree an improvement over the old plan. Says Denton:

"There is a certain percentage of poor pictures with the good pictures

Jersey Court Rules Bank Night Illegal

(Continued from Page 1)

ark attorney, as assignee of the claim of Affiliated Enterprises, owners of the trademark and copyrights under which Bank Night was introduced.

Edward Goldstein, of Affiliated, testified Bank Night was an advertising plan to stimulate attendance. He said registration for participation in drawing prizes was open both to theater patrons and the public at large and announcement of winners was made from stage and lobby. He added persons outside the theater who heard their name called could enter and claim the prize and contended opening of prizes to the public without requiring ticket purchase removed the element of "consideration."

Judge Smith ruled the attempt to remove the element of consideration generally considered necessary in definition of lottery was merely a "subterfuge," and said the primary purpose of game was a lottery for the benefit of theater patrons who paid admission.

A. Louis Ginsberg, president of A. & G., testified that the salesman for Affiliated told him names of winners should merely be mumbled in the lobby so it would be difficult for public to hear. He said from a "practical" viewpoint people paid admissions and entered the theater to see if their name would be drawn. Ginsberg claimed the time allowed for the public to get to the stage from the lobby was so limited it was almost impossible for the winner in the lobby to reach the stage before another drawing.

Argentine Grants Dollar Exchange for Film Imports

(Continued from Page 1)

understood, that all American companies have enough import licenses in reserve to assure distribution of new pictures for five or six months. Distributors in the exchange-import negotiations had the support of the Argentine Film Producers Association.

Washington Bureau of THE FILM DAILY

Washington—Special Argentine mission now here has proposed a combined loan and purchase program to alleviate the Argentine foreign exchange situation, with the Administration said giving them favorable consideration.

and I am afraid that if we have to buy all five, we'll get the weak pictures under the new arrangement in the same proportion as under the old arrangement. In addition, there may be added expense for the exhibitor in traveling to preview these pictures at 'trade showings' and an increased selling expense by the producer."

HOLLYWOOD SPEAKING--

By RALPH WILK

HOLLYWOOD

ROUBEN MAMOULIAN, who directed "The Mark Of Zorro," for 20th Century-Fox, is spending a six-weeks' vacation in Honolulu before starting work on "Blood And Sand." That picture was shoved back to await Tyrone Power, who is to appear with Jack Oakie in "The Great American Broadcast."

IN order that the boys working in "Men Of Boys Town" could become better acquainted, Norman Taurog, who is directing the picture for M-G-M, had them all out to his home for a weiner roast. Spencer Tracy and Mickey Rooney, who head the cast, were the chief custodians of the weiners and buns.

TO most everyone South America is a place comprised of three vague localities known as the Argentine, Buenos Aires and Rio, where everyone speaks Spanish and is a gaucho. Wesley Ruggles, Columbia director, who is touring South America, is gathering material for an authentic picture of life in South America.

DOROTHY FAY has been signed to play the chief feminine role in "White Eagle," the new Buck Jones serial, which Larry Darmour will produce. Deal was set by Lou Irwin.

PRODUCER Edward Finney will introduce eight songs in Tex Ritter's forthcoming Monogram western, "Under Texas Stars." The outdoor drama features Cal Shrum and his Rhythm Rangers as the name band and places more than the usual emphasis on the musical portion of the film.

JOE NEWMAN is directing "Behind The Law," a new "Crime Does Not Pay" subject at M-G-M. The script was written by Howard Dimsdale.

DIRECTORS usually look for the most attractive actors to appear in their pictures, but Richard Thorpe, whose contract has just been renewed by M-G-M, cast 150 of the worst looking extras he could find for "The Bad Man," which he is directing. The group comprises the renegade army which is led by Wallace Beery, star of the picture.

REPUBLIC has purchased an original story by George Carleton Brown, titled "Babes on Broadway," which is just the working title, and it will feature all their youngest contract players, such as Mary Lee, Lois Ransome, Jane Frazee, Carol Adams and June Johnson.

SMILEY BURNETTE trained in after 11 weeks of p.a.'s, during which he traveled 35,000 miles and out of 77 days, he made 73 one night stands.

SHORT SUBJECT REVIEWS

"Alice In Movieland"

Warners Hollywood Stuff 20 mins.

Joan Leslie, who is a beauty contest winner, sets out for Hollywood. While on the train she falls asleep, and the action cuts to a sound stage where tests are being made. She goes through the usual routine of makeup tests, waiting at phones for results of tests and a daily schedule of calling at Central Casting. Then, after flopping in her tests, she gets a job as an extra and a gag pulled by the people on the set rebounds in her favor to the extent of her winning an Academy Award. Then she wakes up. Jean Negulesco directed.

"Lure of the Trout"

20th-Fox Swell Sport Reel 9 mins.

Richly hued with Technicolor, this reel devoted to trout fishing will make anglers do nip-ups when they see it, and will also interest the general public. Subject was photographed at a Southern trout stream which is stocked with all species of trout and artfully built up by the owner to simulate conditions a fisherman would encounter on any trout stream in the country. Ed Thorgeresen gives a snappy and interesting running commentary, and Jack Painter gets credit for a fine photographic job.

"Henry Busse and Orchestra"

Warners Corking Musical Number 10 mins.

Any audience will like this short. The music is good and the settings are smooth, but the reel is distinctive because of expert photography and good direction which together create some amazing effects. Jean Negulesco directed. Busse plays several solos on the trumpet and the orchestra and sections of it, abetted by a vocalist on several numbers, give out with "Hot Lips," "Along the Sante Fe Trail," "Huckleberry Duck" and "Wang Wang Blues."

"Landing of the Pilgrims"

20th-Fox Fair Cartoon 7 mins.

Reel depicts the landing of the Pilgrims from the good ship Mayflower. Short has some laughs and Technicolor enriches it. The Pilgrims land to discover that the Indians are up to the minute business men, with hot dog stands, etc., wheeled out upon their arrival. One young Pilgrim has a considerable amount of trouble getting his Thanksgiving turkey,

only to be notified as he is about to chop its head off by that order of the president Thanksgiving was the week before. Paul Terry was the producer.

"Community Sing"

Columbia Entertaining Musical Number 10 mins.

Featuring Don Baker at the organ, with vocal assistance from the Song Spinners, this number presents some good songs in a fashion that should get co-operation from audiences. Numbers played include "The Beer Barrel Polka," "You Made Me Love You," "I Can't Give You Anything But Love Baby," "Same Old Story," and it winds up with a good hurrah presentation of "I Am An American." B. K. Blake produced.

"Information Please"

RKO-Pathe Entertaining Reel 10 mins.

Up to par in all respects, this new release in the information please series should entertain audiences. In addition to the regular board of experts, comprised of Franklin P. Adams, John Kieran and Oscar Levant, Alice Marble is seen and heard as the guest star. The experts acquit themselves well with a varied and difficult set of questions. Frank Donovan was the producer.

"Savoy in the Alps"

Columbia Interesting Travelogue 10 mins.

Savoy, one of the most picturesque parts of France and under French rule since 1860, is the subject of this new travelogue, produced by Andre De La Varre for Columbia release. The subject is interesting and the photography is fine, with some of the scenery, including famed Mt. Blanc, breathtakingly beautiful. However, the gaiety depicted strikes a strange note, in view of France's plight today.

"Picture People"

RKO-Pathe Hollywood Personalities 10 mins.

Reel is filled with a host of Hollywood notables attending the opening of Don Dickerman's Pirate Den, a new night club. Fred MacMurray, Rudy Vallee, Ken Murray, W. C. Fields, Nancy Kelly, Dorothy Lamour, Marjorie Weaver, Jackie Cooper, Jimmy Fidler, Gary Cooper, Bonita Granville, Jack Benny and Bill Tilden are seen cavorting in the club. Reel has some laughs and should interest movie fans. Louise Rousseau directed, with Frank Donovan getting credit as the producer.

"Old Dominion State"

20th-Fox Interesting Subject 10 mins.

The impressive beauty of Virginia's Blue Ridge Mountains and the rolling country of the Shenandoah Valley are beautifully photographed in Technicolor in this reel, as

well as other points of interest in the state. Short shows a number of historic points of interest such as the homes and birthplaces of Jefferson, Lee, Jeb Stuart and others. Virginia Beach, Richmond, Williamsburg and the University of Virginia also get their share of attention. Lowell Thomas provides an interesting commentary and Jack Painter handled the cameras.

"Bar Buckaroos"

RKO Fair Musical Comedy 16 mins.

Ray Whitney and his Six-Bar cowboys need entry money for a rodeo and they take a job in a saloon playing music to keep peace. First the music keeps the people from buying drinks and then Whitley is inveigled into playing a number that starts a free-for-all riot which ruins the place.

"Nice Work If You Can Dot It"

Columbia Good Subject Matter 9 mins.

Jefferson Machamer, well known cartoonist and artist, is seen at his easel drawing some of the sketches which appear in national publications. Machamer gives an interest-

ing illustration of the part basic curves play in all drawings. Next seen is the work of Jack Gast. Gast has an unusual business, creating beautiful flowers and decorations from anything ranging from weeds to old corn husks. Finally a camera fiend is seen going about his work from all angles with some amusing results. James Wallington gives a good running commentary.

"Sour Puss"

Warners Funny Cartoon 7 mins.

Plenty of laughs have been incorporated into this cartoon produced by Leon Schlesinger. Porky and a feline friend plan a fish dinner. But their plans are more than a little upset by a flying fish.

"Mouse Meets Lion"

Columbia Fair Cartoon 6 mins.

Prancing through the jungle, a young mouse accidentally pulls a lion's mane, mistaking it for grass. The enraged lion finally lets the mouse go after some heavy pleading, and he returns the favor by gnawing through the ropes that hold the lion in a trap.

CHILDREN'S HOLIDAY PROGRAMS

Just the thing to solve your Saturday and Holiday booking problems.

COLUMBIA "HAPPY-HOUR" ENTERTAINMENTS

(Reg. Trade Mark)

Now available • 60-Unit Programs
6 reels (1 hour) endorsed for children by
club women from all parts of the nation.

FOR A SAMPLE BOOKING ASK
YOUR COLUMBIA EXCHANGE FOR
"HAPPY-HOUR" UNIT #67 Featuring

"PUSS IN BOOTS"

Endorsed by The Scarsdale
Better Films Council



"Drinking Way In"

New Orleans—You can help drink yourself into nabe houses, now via the coffee route. Through a tie-up with 23 houses in New Orleans and the vicinity, French Market Coffee is distributing coupons worth five cents on any ticket purchase. The coupon doesn't say whether coffee should be drunk before attending on the night when "sleepers" play.

May Hear Exhibitors On New FWC Decree

(Continued from Page 1)

Harold Collins and Albert Law, now stationed on the Coast, will be presented to Federal Judge George Cosgrave in Los Angeles within two or three weeks. It is designed to conform to that signed here by the Big Five.

Government officials explained that the decree requires the approval of the Court in a similar fashion to the general one confirmed recently by Federal Judge Henry W. Goddard. No requests have been received for an opportunity to be heard on the Coast decree, but government officials see no reason for a change in the department's policy of allowing exhibitors to express their views in the event that a request is made.

There is a strong possibility that the PCC, which opposed the New York equity suit consent decree, may take advantage of the opportunity for a second "day in court," according to reports received here.

It was also learned that the altered decree affecting B & K and Paramount is to be presented for approval in Chicago within the next three weeks. The Court there will be requested to accept a plea on the part of the defendants and to fix a fine of \$10,000 in the pending contempt action. Special Assistant Attorney General Robert L. Wright will speak in favor of the B & K settlement and for approval of it.

Para. Partners Won't Unite For Consent Decree Battle

(Continued from Page 1)

their exhibitor organization units.

Most of the theater partners are members of the MPTOA and probably will work through the regional units.

Skouras to Denver, Coast To Aid Greek War Relief

Chicago — Spyros Skouras addressed Milwaukee theater men urging co-operation in the drive for Greek war help. He left yesterday for a Denver meeting and from there will go to Hollywood where he will urge West Coast help.

James Coston, Van Nomikos, John Manta and Harry Reckas, forming the Chicago committee, will urge midnight film shows to help the drive. Jack Kirsch has pledged Illinois Allied co-operation.

The Chicago quota is \$1,250,000.

Giveaway Is "Fishy"

Centre Ossipee, N. H.—There was something "fishy" about a film show at the Pine Island here. Three names were drawn from the list of Summer visitors at Mystery Pond, widely known private trout pond here, and the lucky ones received a trout each.

CUBAN DECREE "ALL A MISTAKE"

Resulted from Belief That Senate Passage of Neely Bill Made Measure a Law in U. S.

By MARY LOUISE BLANCO
FILM DAILY Staff Correspondent

Havana (By Air Mail)—Cuba's anti-block-booking and blind-selling decree, suspension of which is now being sought by the National Union of Motion Picture Theater Owners and the Association of Motion Picture Distributors of Cuba, among others, resulted from a misconception of the status of the Neely bill in the U. S., it is learned.

Cuban interests back of it assumed that the U. S. Senate passage

of the Neely bill on July 17, 1939 alone was necessary to make block-booking and blind-selling illegal, and the Presidential decree of last May regulating the contractual relations between distributors and exhibitors was predicated upon that assumption.

Surprising as it may appear, it was not until recently that the Cuban Legation in Washington officially reported that the Neely bill was yet to become a law, and thus bolstered the attack upon the decree waged by the industry here.

AFM to Continue Fight In AGMA Case—Petrillo

(Continued from Page 1)

first appearance on the A F of L Convention floor here.

The AFM head said he knew nothing about any plan for a council of amusement or theatrical unions such as building trade councils. Asked if the various actors' unions would be admitted into the present IATSE-AFM combine, he said: "I don't know anything about it."

He also refused to discuss the possible effect the Ascaph-NBC-CBS music fight might have on musicians after Jan. 1.

Petrillo declared that the AFM believed that a performer had an equity right in his recordings and had as a result sought to make itself part of the NAPA suit on the subject.

"We feel that the making of a record does not entitle the recorder to a promiscuous and unjustified use of the record," he said. "We feel when the record is paid for by the employer, the matter doesn't stop there and that is why we are backing NAPA in this fight."

Police Ignore Court Ruling Sunday Pix Ban is Invalid

Fayetteville, N. C.—Chief of Police A. B. Crews, ignoring a court ruling that the city's anti-Sunday films ordinance was invalid, caused the arrest of three local theater managers who opened their houses Sunday.

"Since the ordinance still is on the books, my officers will enforce it," said Crews.

Myer Beck Hospitalized

Myer P. Beck of Russell Birdwell & Associates enters Mt. Sinai Hospital today for four or five days. He'll have a septum operation.

Auto Hurts Kill Mailey

Manchester, N. H.—Albert H. Mailey, 73, former Boston theater manager, is dead here as the result of injuries suffered, when struck by an automobile.

UA Devising a New Plan of Operation

(Continued from Page 1)

was pointed out by Murray Silverstone who said that UA, because of its setup, had problems that did not confront other major companies.

Silverstone yesterday conferred with United Artists non-owner producers Edward Small, Hal Roach, Walter Wanger, Sol Lesser, David L. Lowe, Richard A. Rowland at luncheon and meeting at which the groundwork was laid for the proposed new plan of operation but no details were made public.

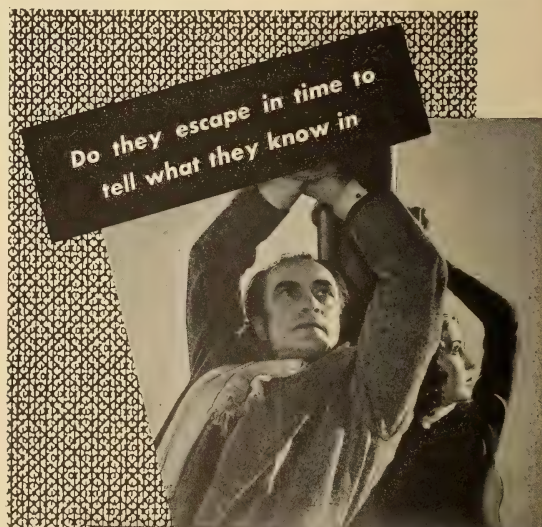
"Multiple Dividend" Out

Madison, Wis.—A "multiple dividend" plan, similar in many respects to Bank Night and employed by a number of stores around the state to bolster business, has been ruled a lottery and illegal by the State Supreme Court.

RKO Pact Elsa Lanchester

West Coast Bureau of THE FILM DAILY

Hollywood—RKO has signed Elsa Lanchester to a term contract under which her first picture will be a comedy with her husband, Charles Laughton.



BLACKOUT

the love story that happened
ONE MINUTE AGO as London fights NOW!

Released thru UNITED ARTISTS

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 105

NEW YORK, THURSDAY, NOVEMBER 28, 1940

TEN CENTS

NAME ADMINISTRATIVE ARBITRATION COM.

Invest U. S. 'Frozen' Coin in British Pix Rights?

British Industry Asks As Much Help as Possible for Productions, Says Fredman

Investment of American film coin now "frozen" in Great Britain in the U. S. rights to British pictures as a means of helping U. K. producers solve war-time difficulties is urged by Ernest Fredman, managing editor of London's The Daily Film Review, in a personal letter to the Editor of THE FILM DAILY.

Total of "frozen" currency to the credit of U. S. companies is now re-

(Continued on Page 7)

Resume La Crosse Trust Trial Jan. 6

Trial of the La Crosse Theaters Co. trust suit against three major companies and two circuits has been set for Jan. 6 in Madison, Wis. Case will continue where it left off on Nov. 18 when it was adjourned. At that time it was rumored that there

(Continued on Page 10)

Swedish Exchange Said Available for Pictures

Stockholm (By Air Mail)—Despite the tightening of foreign exchange restrictions in Sweden since the German occupation of neighboring coun-

(Continued on Page 4)

It's Re-dress Now!

West Coast Bur., THE FILM DAILY
Hollywood — Gerta Rozan, Austrian actress who has been "strip picketing" Universal's studio as protest against David Low and Albert Lewin's cutting out sequences portraying her in their new film, "So Ends Our Night," had shed all clothes but brassiere and panties yesterday which was the third successive day of her deshabille demonstration. When motorists gawked and were stripping off their fenders and crowds of film workers stopped work, the producers relented, promising to reinstate her scenes in the picture or give her a part in their next picture. She is said to have agreed—ending the semi-nude picketing. (Ed. Note: All this would never have happened if production had remained in Fort Lee. BR-r-1)

Return Fire

... on two issues

By CHESTER B. BAHN

RETURN fire.
First, there's the issue raised by Maj. Gen. William Haskell, commander of the 27th (N. Y.) Division, now in training at Fort McClellan, six miles outside of Annis-ton, Ala. General Haskell takes exception to the prevailing Army Motion Picture Service policy which respects clearance rights, thus assuring protection for exhibitors, and also to admission prices in effect at the camp's three theaters.

The division commander wants equal availability and an admission cut to a dime. As an alternative to the existing Fort McClellan film setup, the General is reported considering free film shows for the 27th, financed through profits earned by the Post Exchange.

— 0 —

AS an old division man himself, this side-lines observer can understand and sympathize with General Haskell's desire to provide his men with the best film entertainment at lowest possible cost. But there are a couple of things that the General, perhaps inadvertently, has overlooked. The indus-

(Continued on Page 2)

Tele Panel Reports Will be Ready Jan. 1

Completion of reports of the nine panels comprising the National Television Systems Committee by Jan. 1 is forecast by Dr. W. R. G. Baker, chairman.

Dr. Baker, head of GE's tele and

(Continued on Page 4)

Drops FWC Contempt Case Compromise Reached Federal Court is Told

Argentine Industry Eyes Cheap Government Credits

Buenos Aires (By Air Mail)—Organization of an Argentine film industry association as an affiliate of the Union Industrial Argentina is being discussed here.

Move is tied in with the Government's plans to place at the disposal of native manufacturing indus-

(Continued on Page 3)

Paul Felix Warburg Appointed Chairman of AAA Unit Of Seven; Franklin E. Parker, Jr., to be Chairman Of Arbitration Committee; to Draft System's Rules

An administrative committee for the motion picture industry's arbitration system was appointed yesterday, with Paul Felix Warburg as chairman, it was announced by Lucius R.

Anti-Trust Division Office Here Closing

New York office of the anti-trust division in charge of motion picture suits will be closed within the next few days when all attorneys assigned to the case will return to Washington, it was learned yesterday.

Attorneys stationed in New York are in the process of packing and shipping the voluminous files concerning the case to Washington. These attorneys will continue on the suit against the Little Three from

(Continued on Page 7)

"Substantial Payment" on WB Accruals Said Nearing

Warners as the result of steady progress in cutting overhead and interest charges is approaching the ultimate time when "substantial payment" can be made on preferred dividend accruals, which amount to \$33 per share as of Dec. 1, the Wall St. Journal said yesterday.

Discussing the Warner financial

(Continued on Page 7)

Eastman, chairman of the board of the American Arbitration Ass'n, following a meeting of the executive committee at the Uptown Club.



PAUL F. WARBURG

At the same session, C. V. Whitney was elected president of the AAA, succeeding Franklin E. Parker, Jr., who has headed the association since 1938.

The administrative committee consists of seven members but the group may be enlarged at the discretion of the association. Warburg is a part-

(Continued on Page 10)

No Immediate Move On Decree by MPTOA

The MPTOA will take no further action for the present against the consent decree, Henry G. Gray, of Sage, Gray, Todd and Sims, counsel for the association, stated yesterday. Gray said that the MPTOA was

(Continued on Page 7)

ITOA Raps "Sneaks"

ITOA, via The Independent, its house organ, opens an attack on sneak previews which, it contends, "has been set up as a regular policy by some affiliated theaters in various sections of the country." ITOA complains that major circuits here have extended the practice to White Plains and Yonkers, giving the houses three features one night a week. ITOA expresses the hope that arbitration under the consent decree will end the "pernicious practice and inexcusable evil."



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DONALD M. MERSEAU : : : : General Manager

CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Wednesday, Nov. 27)

NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Scts.	9 1/2	9 1/4	9 1/4	- 3/4
Col. Pict. vcs. (2 1/2%)	9 1/2	9 1/4	9 1/4	- 3/4
Columbia Pict. pfd.	11 1/2	11 1/4	11 1/4	- 1/2
Con. Fm. Ind. pfd.	9 1/2	9 1/4	9 1/4	- 3/4
Con. Fm. Ind. pfd.	9 1/2	9 1/4	9 1/4	- 3/4
East. Kodak	141	140	141	- 1/4
do pfd.	11 1/2	11 1/4	11 1/4	- 1/2
Gen. Tel. Eq.	29 1/2	28 3/4	28 3/4	- 1/4
Loew's, Inc.	29 1/2	28 3/4	28 3/4	- 1/4
do pfd.	9 1/2	9 1/4	9 1/4	- 3/4
Paramount	9 1/2	9 1/4	9 1/4	- 3/4
Para. 1st pfd.	9 1/2	9 1/4	9 1/4	- 3/4
Para. 2nd pfd.	10 1/2	10	10	- 1/2
Pathe Film	10	9 3/4	9 3/4	- 1/4
RKO	2 1/4	2 1/4	2 1/4	- 1/4
RKO 56 pfd.	6 1/2	6 1/4	6 1/4	- 1/2
20th Century-Fox	15 1/2	15 1/4	15 1/4	- 1/2
20th Century-Fox pfd.	6 1/2	6 1/4	6 1/4	- 1/2
Univ. Pict. pfd.	9 1/2	9 1/4	9 1/4	- 3/4
Warner Bros.	46 1/2	46 1/4	46 1/4	- 3/4
do pfd.	46 1/2	46 1/4	46 1/4	- 3/4

NEW YORK BOND MARKET

Keith B. F. ref. 6546 103	103	103	+	3/4
Loew's deb. 3 1/2% 104 3/4	104 3/4	104 3/4	+	1/2
Para. B way 3555				
Para. Pict. 6546 91 1/4	91 1/4	91 1/4	+	1/2
Para. Pict. vcs. 3 1/4% 93 3/4	93 3/4	93 3/4	+	1/2
Warner Bros. deb. 6548 91 1/4	91 1/4	91 1/4	+	1/2

NEW YORK CURB MARKET

Monogram Pict.	1 1/2	1 1/2	1 1/2	- 1/16
Sonotone Corp.	1 1/2	1 1/2	1 1/2	- 1/16
Technicolor	9 1/2	9 1/2	9 1/2	- 3/4
Trans-Lux	3 1/4	3 1/4	3 1/4	- 1/4
Universal Corp. vtc.	3 1/4	3 1/4	3 1/4	- 1/4
Universal Pict.	3 1/4	3 1/4	3 1/4	- 1/4

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. '45	66	66	69
Roxy Theat. Bldg. 45 1st '57	62	62	64

Bonded Film Storage Corp.

LOWEST RATES



1600 BROADWAY N.Y.C.

STORAGE - A PROFESSIONAL SERVICE FOR FILM EXCHANGES, DISTRIBUTORS, AND THEATERS

Return Fire

... on two issues

(Continued from Page 1)

try cannot afford to do so, and the General, in fairness, shouldn't.

The Army, through the non-profit Motion Picture Service, has a call on all product, and pays a nominal flat rental ranging from \$10 to \$25 as a rule. Army theaters have a straight 20-cent cash admission, but soldiers can save materially by investing in a 10-admission coupon book at \$1.40.

In view of the much higher rentals that the commercial theater operator must pay and his costly investment in house and equipment, the provision for clearance actually represents the reasonable minimum of protection for the exhibitor.

Not only does the existing industry film setup represent a sizeable sacrifice of profits—the difference between the nominal rentals charged and the prevailing trade terms—but the Army expansion program actually entails a further loss, represented by the hundreds of thousands of volunteers and conscripts who for some years to come will only patronize Army post theaters.

As a matter of fact, the industry's long-established patriotic concessions to the Army (and to the Navy, no less) are probably without parallel in the business field. The General, for instance, does not expect his military tailor or his boot maker to make comparable concessions; in fact, unless the service has changed greatly, he probably pays a premium, and that willingly.

Which brings up the second issue, raised by the New York Daily News the other day through Jimmy Jemal's "Inquiring Reporter" editorial page column which concerned itself with, "What do you think of the suggestion that all men in uniform be admitted to movies and legitimate theaters at half price?"

Here's a counter query for Jimmy and the Daily News: "What do you think of the suggestion that all men in uniform receive the daily papers at half price?"

Marlene Dietrich Sued for \$98,000 on French Pix Deal

Suit for \$98,000 was filed against Marlene Dietrich yesterday by Forrester-Parant Productions in the Supreme Court of New York County. Saul Rogers, attorney for the plaintiffs, asked for a warrant of attachment which was granted by the court.

Plaintiffs charge that Miss Dietrich agreed to make a picture in Paris under a deal made in 1938. She was to receive \$82,000 plus a percentage of the gross, according to the complaint, and was advanced \$13,750. She came back to the U. S., it is charged, and then allegedly refused to approve stories.

When the war broke out and the Paris studios were confiscated for barracks, the plaintiffs agreed to make the picture in Italy but again the actress refused to return, the complaint states. Miss Dietrich also refused to return the advanced money. Plaintiffs contend that her various refusals have caused them a loss of \$98,000 and seek to recover the entire amount.

\$12,000 Ad Budget Backs "Son of Monte Cristo" Bow

UA will spend \$12,000 on the local ad campaign for "The Son of Monte Cristo" which will have a pre-release movie premiere at the Capitol on Dec. 4. Booking of the Edward Small pix subs for Metro's "Third Finger, Left Hand," originally announced to follow "The Great Dictator." National release will come around the holidays.

UA will release eight films during the next four months, and for them the company claims the greatest stellar roster in its history. Films include Korda's "Lady Hamilton," Lesser's "That Uncertain Feeling," Pascal's "Major Barbara," Roosevelt's "Pot o' Gold," the Loew-Lewin "So Ends Our Night," Roach's "Topper Returns" and "Broadway Limited" and Rowland's "Cheers for Miss Bishop."

Syracuse May License Bingo and Giveaways

Syracuse, N. Y.—Aroused by the Bingo and auto giveaway situation here, the city administration may crack down via control by a new licensing system.

At the present time, top theatrical Bingo game is that operated twice weekly by Al Gilbert in his Riviera and Brighton theaters, with admittance at 75 cents. Karp's Cameo is the reported planning Bingo at 68 cents. Dollar Bingo, recently installed at the State Fair Coliseum as a Wednesday night feature, is packing them in.

Fitzgers, with a 30 cent admission at the Rivoli, are now giving away four door sedans Mondays and Saturdays.

Deal for Philadelphia's Carman Theater is Cold

Philadelphia—Deal by which the Carman theater, now operated in receivership, reportedly would pass into the hands of Jay Emanuel, Frank McNamee and Iz Rappaport on a 10-year lease, is cold, it was learned yesterday. Emanuel is one of three receivers for the house, formerly operated by George Graves, who is suing S-W and the majors under the Sherman Act.

Silverstone Denies Report Of UA-Producer Deals

West Coast Bureau OF THE FILM DAILY

Hollywood—Murray Silverstone last night denied a published report that United Artists is discussing a producer-director deal with Fritz Lang. He also stated that no deal is pending with Douglas Fairbanks, Jr., and Ben Hecht. He preferred not to make any reference at this time to deals, if any, that may be in the negotiating stages.

Trio Has Chevalier Pix

"The Man of the Hour," French pix starring Maurice Chevalier, is being distributed by Trio Films, Inc., of 154 W. 55th St.

COMING and GOING

GRAD L. SEARS, Warners' sales chief, leaves over the week-end on a trip through the South and West which will take him finally to the coast for studio confabs.

JACK COHN, Columbia vice-presy, and NAT SPINGOLD have returned from the Coast.

MURRAY SILVERSTONE is due here this week, end from the Coast.

NORMAN ELSON, sales manager for Film Alliance of the U. S., leaves tomorrow for a swing through the South.

A. A. FINBERG, of U. S. Air Conditioning, is in town.

REGINALD DENHAM has arrived in Hollywood from England to write the screenplay for a forthcoming Korda production.

HENRY HENIGSON is here from the Coast.

ADOLPH ZUKOR will arrive here in a couple of weeks after a short stay at Tucson.

MRS. BETTY ROGERS is at the Waldorf.

VICTORIA CORDOVA has arrived on the Coast to start work under a new RKO contract.

CHICO MARX has arrived here from Hollywood.

NANCY KELLY has returned to the Coast.

WILLIAM F. RODGERS and E. M. SAUNDERS arrived in Chicago yesterday to attend the week-end M-G-M meeting.

WILLIAM C. GEHRING and M. A. "MOE" LEVY left Chicago yesterday for Des Moines, Minneapolis and Detroit where they will hold one-day 20th-Fox sales meetings, returning to New York on Sunday.

HAROLD ESKIN, Stamford and Newark exhibitor, left for Florida yesterday after a ton-silectomy in New Haven.

PHIL REISMAN, RKO v-p. and head of the export division, and REGINALD ARMOUR of the company's foreign department, are in Hollywood.

DANIEL F. GREENHOUSE, RKO's manager in the Philippines, is at the company's West Coast studios.

Midwest Drive-In Assumes Holding Company Status

Detroit—Eight separate companies are being incorporated for the eight theaters operated by Midwest Drive-In Theaters, Inc., a Massachusetts corporation, according to John McNeill Burns, attorney for the company. Local companies are the West Side Drive-In Theater, Inc., and the East Side Drive-In Theater, Inc., while separate companies will be organized for the two theaters in Cleveland and the one each in St. Louis, Milwaukee, Indianapolis and Cincinnati, in the states in which each is located.

Midwest will continue to own all the stock, but will not operate directly, becoming more of a holding company.

EXECUTIVES!

Will the operation of the Consent Decree find you without capable manpower? Available now is a young man with ten years in exhibition. He has strong experience in buying, booking, advertising, publicity, and exploitation. He has managed many types of theatres. He has a college education, a head on his shoulders, and a will to work hard. He is single, in excellent physical condition and has a high draft order number. He is willing to travel anywhere and would like interviews with progressive distribution or exhibition executives who want and need an honest, loyal, and capable man to represent their interests. Write Box 1925, The Film Daily, 1501 Broadway, New York City.

Government Drops FWC Contempt Case

(Continued from Page 1)

The Government's charges that the major companies granted more favorable terms to the Fox West Coast Circuit than to indie exhibitors. Companies named in the contempt case were Fox West Coast, Fox West Coast Service Corp., 20th Century-Fox, Loew's, Inc., M-G-M, Paramount, RKO, RKO Distributing Corp., Universal Film Exchanges, Warner Bros., Vitaphone and United Artists.

Schaefer, Reisman, Armour Confer on World Distrib'n

West Coast Bureau of THE FILM DAILY
Hollywood—Phil Reisman, RKO v.-p., and general manager of the company's export division, is here conferring with President George J. Schaefer, Reginald Armour of the company's foreign department, and Daniel F. Greenhouse, manager in the Philippines, on world distribution problems.

Arthur Lubin Signs 7-Year "U" Contract

West Coast Bureau of THE FILM DAILY
Hollywood—Arthur Lubin has signed a seven-year directorial contract with Universal Pictures. His first assignment under the deal will be "Buck Privates" starring Abbott & Costello and the Andrews Sisters.

Michael J. O'Brien Dead

Montreal—Michael J. O'Brien, 89, outstanding Canadian industrialist, who died Tuesday was owner of a chain of motion picture theaters which he established in his home town of Renfrew, Ont., and nearby municipalities. He also financed the Renfrew "Millionaires" pro hockey team.

Harry L. Hamilton Drowns

Canton, O.—Harry L. Hamilton, veteran theater executive found dead in a Cincinnati park reservoir, formerly managed Gus Sun houses here and in Portsmouth and Newark.



From THE FILM DAILY to H. Emerson York John Willard Melville A. Shauer Maurice McKenzie David Miller Sylvia Katzenstein



● ● ● THAT warm, frank and friendly letter.....which Ned Depinet, RKO Radio's vice-prexy, wrote to exhibitors throughout the U. S. and Canada.....is a helpful document on several counts..... First of all, it impresses the showmen-recipients with the importance to them of a new screen personality, Bob Crosby, who is already renowned.....via his radio programs.....and now invades the celluloid realm in his initial vehicle, "Let's Make Music".....Bob has been doing just that with his brilliant ork for some time.....and so well that he has a mighty big pop following.....an index of which is a fan club of more than 50,000.....We like the way Mister Depinet describes the picture's assets.....and his sincere invitation to outlets to get behind it.....Too, we like his tab synopsis of the film's story.....and such uncolored comment that "Let's Make Music" is "just the type of entertainment that the fans say 'makes them feel good all over' ".....But most of all, we like the idea of letters such as this going out to exhibitors from sales executives.....just as we like to see missives in this warm, frank and friendly tenor come from the other direction.....It makes business dealings a delight.....not something barely palatable.....

● ● ● SPEAKING of human relationship.....have you read that slick article in The American Magazine (Dec. issue) titled "How To Make Friends"?.....It's from the pen of one of our industry satellites, Elmer C. Leterman, frequent purveyor of insurance policies to filmand customers.....

● ● ● COURTESY of RKO Radio's Jimmy Boyle.....we present herewith Lin Yu Tang's conception of a cocktail party:....."A cocktail party is a place where you talk to people you don't know about things in which neither you nor they are interested".....Amen!—but don't leave us off the invitation list!.....

● ● ● STUFF:.....Hal Horne announces appointment of Burton Lewis as director of special events for Walt Disney's "Fantasia" and he'll function as cog in the publicity dept. under Dick Condon, general director.....Paul E. Ackerman, head of Paramount's foreign publicity dept., will be principal speaker at 32nd annual dinner-meeting of the College Fraternity Editors Ass'n on Saturday at the Parisien....."Sonny" Shepherd, well-known manager of the Lincoln Theater in Miami, will serve as good-will ambassador 'twixt Florida and points West, by bearing invites for folks to attend the All-American Air Maneuvers in Miami this comin' January.....Patricia Carroll, christened by Prexy Leon Bamberger as "The Radiorole," will sing at today's Ampa luncheon meeting, and speaker of the day will be Zenn Kaufman.....Moe Kallis, former Paramount art director and now associated with the Buchanan Agency on Paramount work, has two pieces of art work on display at the Montross Gallery exhibition of paintings by 30 American artists.....

● ● ● COULD it be that the Court's designation of an authority upon maritime law.....as the chairman of the Arbitration Appeals Board.....was tacit recognition of the fact that the consent decree has the industry.....all at sea?.....

DATE BOOK

- Nov. 29: Chicago Warner Club dinner dance, Terrace Casino, Hotel Morrison
- Nov. 30: Dave Miller testimonial dinner, Hollenden Hotel, Cleveland.
- Dec. 1-2: MPTO of North and South Carolina convention, Charlotte Hotel, Charlotte.
- Dec. 2: Philadelphia MP Associates dinner, Allisonia Club, Harrisburg.
- Dec. 8: Bill Robinson testimonial dinner, Mecca Temple.
- Dec. 9: Warner Bros. stockholders' meeting, Wilmington, Del.
- Dec. 12: Philly Variety Club dinner, the Bellevue-Stratford.
- Dec. 13: B & K Employees' Association dinner, dance, Stevens Hotel.
- Dec. 14: Cleveland Variety Club dinner dance, Hollenden Hotel.
- Dec. 16: Theater Owners of Oklahoma convention, Skirvin Hotel, Oklahoma City.
- Dec. 20: Actors' Equity quarterly meeting.
- Dec. 31: The Lambs Gambol, Waldorf-Astoria.
- Jan. 26: Actors' Fund of America annual benefit, Winter Garden.
- Feb. 2-3: Virginia MPTO Winter convention, Shoreham Hotel, Washington.
- May 5-8: SMPE Spring convention, Sagamore Hotel, Rochester.

Argentine Industry Eyes Cheap Government Credits

(Continued from Page 1)

tries long term credits to the extent of approximately 350,000,000 pesos. These credits will be administered by a Government board on which private industry will be represented by Muis Colombo, president of the UIA.

Industry leaders believe that if the film industry has an organization affiliated with the UIA, the way will be open to obtain the cheap Government credits.

"Arizona" at Higher Prices In Three More Situations

Columbia's "Arizona" starts additional advance admission engagements today in Providence, Memphis and Houston.

TO THE COLORS!

Bernard Cohencious of RKO Radio's purchasing department is the first employee of the home office to enlist for emergency service. Cohencious volunteered for the regular army and will accompany a contingent to Camp Upton, L. I., Saturday morning. After a few days there he expects to be assigned to Camp Dix, N. J. Cohencious has been with RKO Radio for four years. RKO Radio employees who enlist or are drafted receive an advance salary of four weeks it was announced some time ago.

Boston—Myron J. Segal, eldest son of Harry Segal, head of Imperial Pictures here, has enlisted in the National Guard's Quartermaster Corps.

Tele Panel Reports To Be Ready Jan. 1

(Continued from Page 1)

radio department, said that members of four panels will meet at the Hotel Roosevelt here in early December, probably on the 12th, with members of the five other panels convening between Dec. 20 and Jan. 1. The committee's full report will go to the FCC Jan. 27.

Dr. Baker declared that the work of the nine panels which comprises 168 engineers' and represents 41 firms is an "example of what industry can do in co-operation with a Government agency." In discussing the mechanics of the Group, Dr. Baker explained that as rapidly as panels report, their proceedings are sent to members for study and discussion at meetings.

While explaining that the introduction of color by CBS recently as well as the two-color demonstration by his own firm, has not caused a delay, Dr. Baker stated that the work of some panels has been delayed somewhat due to field tests which are still under way. Facilities of Hazeltine, DuMont, Philco, RCA, and GE are being used in these tests, he stated.

"Very elaborate tests in respect to the utilization of FM in both the synchronizing and sound section of the channel are also being conducted," Dr. Baker disclosed.

NBC Engineers Continuing Experimental Transmissions

Engineers of NBC are continuing their experimental work on television transmissions in this area, it was announced yesterday. In addition to the test programs on the air at various times, two experimental programs of interest will be shown during the coming week, one a play-by-play account of a hockey game from Madison Square Garden, and the other, a feature film.

CBS Demonstrates Tele Ability To Reproduce Color Art Wks.

A special color television show was presented early this week by CBS wherein slides of well-known art works, both oils and water color works, were scanned, and sent over coaxial cables and reproduced in full color on a tele receiver before a group of artists, critics and members of the committee for National Art Week.

Introducing the demonstration, Gilbert Seldes, CBS director of television programs, said: "When color television has reached into the American home, we hope it will become a great force for wider appreciation of the visual arts, as radio has been for the appreciation of fine music."

Turkey Day in Philly

Philadelphia — Observing this state's Thanksgiving Day, local film exchanges are closed today.

FRANKLIN'S "MILLIONS" NO FUN

N. B. Circuit Operator Finds Reputed Wealth in "American Vaudeville" a Liability

St. John, N. B.—Being a synthetic millionaire has plenty of liabilities, J. M. Franklin, head of the Franklin & Herschorn circuit has discovered. In "American Vaudeville," just publisher, Franklin is named as the partner of the late Mike Shea of Buffalo, N. Y., in selling six Canadian vaude theaters to Keith-Albee, for \$5,000,000. According to the book, the payoff to Shea and Franklin equally was 16 years ago.

It seems to be useless for Franklin to deny receiving any part of the 5 millions, and to insist that while he was Canadian general manager for Keith-Albee and successor, RKO, he was not a Shea partner.

Professional and amateur beggars

are beating a path to his office in the Mayfair Theater here. His employees think he should pay them more and forget about profit and loss, now that he has been belatedly revealed as a man of millions to the tune of 2½ paid by Keith-Albee, plus the interest since then.

Mitchell Franklin, his only son and Mayfair manager, is suspicious of the old man as a secret holdout, and is petitioning for some of the 2½ millions in advance of any paternal legacy. As for J. M., he suspects he'll have to head south to Miami Beach for his usual winter stay earlier than usual, to get rid of a millionaire's annoyances. If he really had fingered the \$2,500,000, it might be worth the siege.

British Judge Criticizes Quota; Dismisses Summons

Manchester, Eng., (By Air Mail)—Criticism of the British quota system was voiced by the Manchester Superior Magistrate in dismissing three summonses against the J. F. Emery Circuit for non-fulfillment of quota.

"I can't help feeling the defendant has a case to argue," he said. "There may be instances where there is competition and where it is almost impossible to get a quota show. You cannot expect a first-class house to put on third-class stuff, or to put on something that another house has finished with."

"It is only fair to say that the defendant has even exceeded his quota in a general sense, taking the whole of his circuit. That shows he has made an attempt to comply with the regulations. If there had been a general shortage I should have taken a

Eastman Sues on Patent

Patent infringement suit was brought yesterday in the Federal Court by Eastman Kodak Co., Inc., against Charles McAuley and McAuley Woodcrafting Co. Infringement of a patented motion picture film reel by the defendants through the manufacture and sale of the reel is claimed.

AAA Seeks Experienced Men To Place Trained Clerks in Key Spots

American Arbitration Association plans to spot men with long arbitration experience in the more important cities so that they can give advice and assistance to the clerks of the boards in other cities in the same general territory.

First man to be named to a key city is Walter Elliott who has been with the AAA in New York for 10 years. Elliott will be placed in charge

of the Los Angeles arbitration office, and clerks who will be named for other Coast and western boards may draw on him for information.

J. Noble Braden, executive secretary of the AAA, is now on a tour of western and midwestern key cities, selecting candidates for board clerks. Final appointments must be approved by the AAA board. Eastern personnel will be picked after Jan. 1.

Swedish Exchange Available for Pix

(Continued from Page 1)

tries, it is still possible for distributors to obtain funds for imports of U. S. films, which are maintaining the strong position in the Swedish market.

War conditions have so far failed to curtail the activities of Sweden's industry. While one or two small producing companies have been merged with larger organizations, film production has been maintained at approximately the same level as in 1939, it is reported.

There are 2,134 theaters now operating in Sweden; this is approximately the same number reported in 1939.

Hong Kong Exch. Control Without Effect on Pictures

Washington Bureau of THE FILM DAILY

Washington—No war restrictions have been imposed upon imports of films in Hong Kong, the American Consulate General station there reports. Foreign-exchange control is in effect but thus far it has not adversely affected payments for normal film imports.

About 250 feature films are required to supply the market yearly, and American films now comprise about 75 per cent of the total number shown. The remainder are mainly Chinese films produced either locally or in Shanghai. Native production is lower this year.

Legit. to Buck Films Via Syracuse's Civic

Syracuse, N. Y.—Syracuse, without anything approaching consistent legit. bookings since the retreat of Lee and J. J. Shubert, native sons, and the passing of the Wieting Opera House, is going to get a series of road attractions via the Syracuse University-operated Civic theater.

As opposition to films, the Empire Amusement Co., of New York, has set "The Male Animal," "The Man Who Came to Dinner," "The Little Foxes," "The Time of Your Life" may also be booked in.

Loretta Young to Star In Lloyd's First for "U"

West Coast Bureau of THE FILM DAILY

Hollywood—Loretta Young will star in "The Lady From Cheyenne," the first of three pictures which Frank Lloyd will produce for Universal this season.

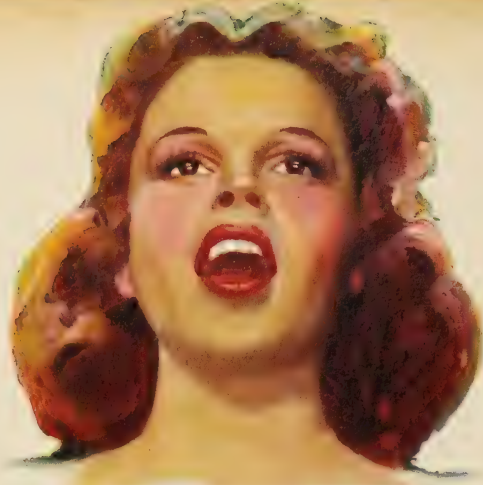
Lloyd will personally direct.

Herbert Gets "U" Term Pact

West Coast Bureau of THE FILM DAILY

Hollywood—Universal has signed Hugh Herbert to a five-year starring contract.





THERE'S PUNCH IN JUDY!

Oh! what a show! It's George M. Cohan's
stage hit! It's got heart-throbs! It's got
laughs and thrills! It's got Judy singing
glad songs! heart songs! thrill songs!
laugh songs! Mr. Exhibitor here's
the first big solo starring hit
of M-G-M's joyous darling

Great performances by:
JUDY GARLAND
GEORGE MURPHY
CHARLES WINNINGER
DOUGLAS McPHAIL
and all the cast!

JUDY GARLAND
"LITTLE NELLIE
KELLY" ⁱⁿ
(it's grand!)

Screen Play by Jack McGowan • Based upon the Musical
Comedy Written, Composed and Produced by George
M. Cohan • Directed by NORMAN TAUROG • Produced
by ARTHUR FREED • A Metro-Goldwyn-Mayer Picture

Anti-Trust Division Office Here Closing

(Continued from Page 1)

the home office of the anti-trust division.

Special Assistant Attorney General Edward Whalen, stationed permanently in New York, will supervise the handling of the suit here.

"Substantial Payment" on WB Accruals Said Nearing

(Continued from Page 1)

situation, the financial newspaper said:

"In addition to important studio and operating overhead economies, funds from surplus earnings and heavy annual depreciation charges on large real estate holdings have been applied to reduction of outstanding indebtedness. Funded debt was reduced by almost \$5,000,000 in the past year and annual interest charges are now about \$3,000,000 compared with \$3,000,000 actually paid in past year. In 1931, when company paid \$6,700,000 interest, it had peak funded debt of \$110,000,000, not including mortgages on property acquired since. Under its debt reduction program, this has been cut by \$57,000,000."

Schines Lease Municipal Houses in Two Ohio Spots

Ashland, O.—City council here has awarded a 25-year lease for a theater in the proposed municipal building to the Belik Theater Corp. of Cleveland, Schine Enterprises subsidiary. The bid was \$11,200 a year.

Council rejected the high bid of the Ohio Amusement & Vending Co. of Cleveland, offering \$303,000 for the 25-year period.

Wooster, O. — Schines Theaters, Inc., will be permitted to renew its lease on the Opera House here, municipally owned, for another period of five years, council has agreed. The rental is \$2,000 a year.

Jerry Shinbach Managing Miami Beach House

Miami, Fla.—Jerry Shinbach, who recently sold the Granada theater in South Beach, Ind., to B & K, is now managing the Cinema Casino at Miami Beach for Paramount Enterprises, Inc. Charles Whitaker has been switched from the Cinema Casino to the new Boulevard theater, just opened here.

Bingo on the Gain

Wilkes-Barre, Pa.—Bingo is on the gain here, survey showing at least 50 games now operating in the area as against about 40 a year ago. Practically all give money prizes. Approximately 40 games advertise in the dailies.

"Frozen" Coin for U. K. Pix? Investment in American Rights is Urged

(Continued from Page 1)

ported at about \$20,000,000, with the possibility that this figure will be at least doubled through the new one-year agreement dating from Nov. 1.

"We still make pictures—make no mistake about that," says Fredman. "Even as I write, I get particulars of new films that are being embarked upon. Denham, which has stood idle for some time, is now getting inquiries for floor space."

"Nothing will keep production down, unless it is the requisitioning of studios, but bombs won't stop the wheels going 'round."

Fredman draws a graphic picture of war-time conditions and the gallantry of the British industry in coping with them. He writes:

"It's astonishing the way the industry settles down to the new conditions of things. London, by very nature of the air attacks, is now no longer the hub of the motion picture business in the sense that it is not returning anything in the way of grosses, but the provinces are doing very well, although exhibitors, and particularly independents have been badly hit, they are standing their losses courageously and taking it on the chin exactly the same way the British public are taking these nightly air raids. There is a cool determination to see this thing through because they know that eventually—now long it may be no one knows—but in God's good time we shall come out on top and then, the Motion Picture industry in this country will have such an impetus that it has never known in its existence."

Theater Damage Relatively Small

"You can well imagine that it's difficult to carry on under these conditions, but Wardour St. has not panicked. Naturally, some of the staffs are situated in the country, because essential records are safer out of London. Theater staffs are wonderful—they carry on with bombs bursting over their heads. There has not so far—and I touch wood as I say this—been any very bad case of a cinema being hit with a large audience. You know there has been certain damage done to a couple of West End houses, but nothing that can't be put right within a very few weeks."

"You don't need me to tell you that with the aerial bombardment by day and by night, the life of London has changed completely and now that the blackout commences in the neighborhood of 6 o'clock, and even less by the time you get this letter, business more or less finishes at five, that is as far as the main office life in London is concerned, so as to enable the workers to get to their homes, have their meal, and prepare for the shelter, for, with monotonous precision, Goering's thugs descend on us night after night, in their attempt to spread destruction, and you will thus clearly see that the picture business as regards the evening which, of course, was the peak of the day, is almost completely eclipsed."

Films Attract Londoners

"A large number of cinemas are shut in London and particularly in the bombed suburbs where the Nazis have concentrated in their blind and vicious bombing, but again don't run away with the idea that London is a desolated and evacuated city and that every cinema has gone dark, because it hasn't. There have been hits on many houses, but it is literally amazing how the desire for some entertainment continues to attract the people, and even in the West End, which is more or less deserted at night, there were queues to see 'Foreign Correspondent'—I don't say there were queues at night, but there were in morning and afternoon."

"Naturally, the Motion Picture Industry here has suffered pretty badly, but there are always compensations, thank God, and the provinces, outside of those towns that are receiving particularly vicious treatment from the air raiders, are doing amazingly good business. Indeed, the returns are above normal, which, as I think you will agree, is something to marvel at."

"Take a picture like 'Rebecca'—this has done grand business in the country, but of course, it ran into a tragic release in London, but there was a silver lining to that cloud, because when this air terror passes—and we are assured that it will pass because every day finds our own Air Force getting on top of the Germans—then the picture will be re-released because, of course, thousands and thousands of people in London and the suburbs will want to see it. So other companies will take exactly the same course of action."

Suggests U. S. Take U. K. Films

"There are a great many other things I could dwell upon, but I know you don't expect me to. But this I would like you to convey to the Motion Picture Industry of America—we are grateful for their sympathy. The industry here is definitely playing its part, as with every other industry, in fighting the battle for democracy. We would like as much help as could be given to our productions, in the shape of taking our films for America, and your people might use their frozen currency very well in this connection. Exhibitors here are playing all the best American pictures and look to your country for the same type of production, irrespective of the fact that certain of their markets have gone West. That is regrettable, but Britain has always been such a good market, and will be even more so in the future, that Hollywood must recognize that even if they have lost certain of their markets on the continent, this country is still their best customer."

"Above all, do discredit any stupid stories that we are starving, because I can assure you there's not one word of truth in this nonsense, and as I had a very good breakfast consisting of porridge, and bacon and eggs—

No Immediate Move On Decree by MPTOA

(Continued from Page 1)

not in a legal position to appeal the decision of Federal Judge Henry W. Goddard which approved the decree since it was not a party to the suit. Furthermore, Gray declared, the MPTOA would not request the Court for permission to intervene in the suit so as to set up a legal basis for an appeal.

It is understood that several other exhibitor organizations are considering an intervention move in the hope that it could be used as the basis for continuing opposition to the decree.

Gray was not certain whether the MPTOA would bring triple damage anti-trust suits against the major companies.

Spanish Distributing Co. Invades Argentine Field

Buenos Aires (By Cable)—Generalcine, Spanish distributing company, has transferred its headquarters to this city, and will enter the Argentine field, handling U. S., British, French and Italian product as well as films to be made by the S.I.D.E. Estudios Cinematograficos Argentines. Generalcine, headed by Alberto Borea, Luis A. Bloch and Ubaldo Marinelarena, will take over S.I.D.E.'s Pan-American distributing setup and as well will assist the latter in financing production. Dr. Alfredo P. Murua heads S.I.D.E.

For Sunday Shows, "But"

Westfield, N. J. — Although the Sunday movie question was approved by a 641-vote majority, the Town Council has declined to adopt an ordinance providing for Sunday shows. Instead the council will meet Dec. 9 to act on a measure which would prohibit shows from 6 to 9 p.m. Sunday. The ordinance would set the afternoon opening hour at 1:30. The 6 to 9 closing is proposed at the best of church leaders.

exactly the same as in pre-war days, and having dined last night on as nice a steak as I can ever remember, you will understand that there is no shortage of food. Our lives may be rather more hazardous, and we are having to put up with a great many inconveniences,—our staffs find their transport a bit disorganized, and it isn't nice to have to hurry home and hop into a shelter, but they cheerfully bear it, and will continue to do so because they know the other alternative, namely life under Nazi rule would be literally hell upon earth."

Wotta Meeting

Albuquerque, N. M.—It was left for the Mesa Theater booker to make this possible on the marquee:
"Boys of the City"
and
"Girls of the Road."



REVIEWS OF THE NEW FILMS



"Ellery Queen, Master Detective"

with Ralph Bellamy, Margaret Lindsay,
Charles Grapewin
Columbia-Darmour 66 Mins.

(HOLLYWOOD PREVIEW)

MADE-TO-ORDER ELLERY QUEEN FARE LAUNCHES NEW SERIES IN A WAY TO SATISFY.

Larry Darmour's new "Ellery Queen" series, starring Ralph Bellamy, gets off to an audience-satisfying beginning. Replete with thrills, a few comedy pointed sequences, a lost will, and "the hand from the bush clutching the heroine" thrill, all made-to-order-Ellery Queen fare, the picture is a credit to the producer.

Kurt Neumann's direction paces the picture smoothly from Eric Taylor's screenplay, Bellamy, as Ellery Queen, appears to advantage, but without the usual goriness attendant in detective series, the romantic sequences remain more impressive than his shrewdness as the Master Detective. Margaret Lindsay performs ably as Charles Grapewin, James Burke, Michael Whalen and Marsha Hunt are impressive and add to the quality of the production. Fred Niblo, Charles Lane, Ann Shoemaker, Marion Martin, Douglas Fowley, Morgan Wallace, Byron Foulger and Katherine DeMille assist in lesser roles.

Faced with the doctor's decision that death is imminent within two months, John Braun, noted physical culturist, makes a new will, cutting off his daughter's inheritance, in order to thwart her marriage to his own doctor, who has unbeknownst to the rest, faked the rays that prove Braun's illness. Disappearance of the will, Braun's murder, disappearance of his body, Queen's entry into the case, all mix into a final denouement.

Larry Darmour served as producer, with R. C. Flotow assisting as associate. Production values were visibly up to a par of satisfaction. Cameraman James Brown is deserving of honorable mention for his fine photography.

CAST: Ralph Bellamy, Margaret Lindsay, Charles Grapewin, James Burke, Michael Whalen, Marsha Hunt, Fred Niblo, Charles Lane, Ann Shoemaker, Marian Martin, Douglas Fowley, Morgan Wallace, Byron Foulger, Katherine DeMille.

CREDITS: Producer, Larry Darmour; Associate Producer, R. C. Flotow; Director, Kurt Neumann; Author, Ellery Queen; Screenplay, Eric Taylor; Cameraman, James Brown, Jr.; Editor, Dwight Caldwell.

DIRECTION, Smooth. PHOTOGRAPHY, Fine.

"Monte Cristo" After "Dictator"

Edward Small's "The Son of Monte Cristo" follows Charlie Chaplin's "The Great Dictator" into the Capital Theater on Dec. 4, replacing the scheduled "Third Finger, Left Hand."

Warners Buy "Winged Victory"

Hollywood—Warners has acquired screen rights to A. J. Cronin's play, "Winged Victory" as a Geraldine Fitzgerald-James Stephenson vehicle. Howard Koch and Anne Froelich will do the script.

"Law and Order"

with Johnny Mack Brown, Fuzzy Knight,
Nell O'Day, James Craig
Universal 57 Mins.

RAPID ACTION RAISES THIS WESTERN ABOVE RUN-OF-MINE CLASS FOR OUT-DOOR FANS.

Here's a better than average western with the usual heroics but unusually good riding sequences. To boot, fistfights and gunplay are distributed at frequent intervals in the footage which finds Johnny Mack Brown—fresh from his cleaning-up of Coneyenne—ride into the lawless community of Rhyolite, and doing a similar job. His opponents in the process are Ethan Ladlaw, Ted Adams and Harry Cording, cast in roles of desperado brothers.

Like most cactus dramas, "Law and Order," despite its foundation (a novel by W. R. Burnett), runs close to plot pattern. Nell O'Day is a pleasing heroine, her chief assets being her good looks and horsemanship. Against the serious notes supplied by six-shooters, brawls and rhythmic hoofbeats is built a good deal of comedy. The laughs are supplied by Fuzzy Knight via bits including the holster and gun-sight gags, plus his habit of exaggerating his bravery and prowess.

There is a wisp of romance 'twixt the blonde Miss O'Day and Johnny Mack Brown, with the latter, at the finale, riding off and promising to return to her. Scenes in the rim best calculated to thrill onlookers are the saving of James Dodd (playing the part of Miss O'Day's brother) from the villains; the killing of James Craig on the streets of Rhyolite; and the blotting out of the outlaws at the hands of Brown and Knight. Direction by Ray Taylor keeps matters moving at a lively pace and photography by Jerome Ash is skillful.

CAST: Johnny Mack Brown, Fuzzy Knight, Nell O'Day, James Craig, Harry Cording, Earle Hodgins, Robert Fiske, James Dodd, William Worthington, Ted Adams, Ethan Ladlaw, George Plues, Harry Humphrey.

CREDITS: Screenplay, Sherman Lowe, Victor McLeod; Author, W. R. Burnett; Cameraman, Jerome Ash; Musical Director, H. J. Salter; Director, Ray Taylor.

DIRECTION, Peppy. PHOTOGRAPHY, Okay.

Westinghouse \$1 Dividends

Westinghouse Electric & Mfg. Co. yesterday declared dividends of \$1 each on the common and 7 per cent participating preferred, both payable Dec. 20 to record Dec. 9. These dividends bring payments for the year on each class of stock to \$4.75, against \$3.50 in 1939.

Six Acts, Two Features Clicks in Fox, St. Louis

St. Louis—B. O. response to "flesh" policy installed four weeks ago in F & M's 5,000-seat Fox here assures continuance. Usual Fox program embraces two features and six acts, plus 20-piece ork and an emcee. No price rise marked the advent of "flesh."

"The Border Legion"

with Roy Rogers, George "Gabby" Hayes,
Carol Hughes
Republic 58 Mins.

ACTIONFUL AND EXCITING WESTERN IS ONE OF BEST IN THE ROY ROGERS SERIES.

The Western fans will get a full measure of action in this release. The story is well paced, the cast is able, there is a plentiful amount of action and a wild and woolly climax. Picture's locations are interesting and the script is plausible.

Associate producer and director Joseph Kane handles the picture with a sure knowledge of his job, and was materially aided by a screenplay written by Olive Cooper and Louis Stevens. Roy Rogers is capable in the lead role, putting over a couple of songs ably and smacking the villains with gusto. "Gabby" Hayes is amusing, Carol Hughes is adequate as the romantic interest, and good characterizations are provided by Joseph Sawyer, Maude Eburne, Jay Novello and Hal Taliaferro.

Rogers leaves New York State and goes West, a fugitive from justice, taking the blame for a crime committed by the brother of Miss Hughes, his fiancée. He meets up with Hayes, gets embroiled with Sawyer and his gang of crooks, and has a considerable amount of trouble before he contrives a scheme to trap Sawyer and his gang.

CAST: Roy Rogers, George "Gabby" Hayes, Carol Hughes, Joseph Sawyer, Maude Eburne, Jay Novello, Hal Taliaferro, Dick Wessel, Paul Porcasi, Robert E. Keane.

CREDITS: Associate Producer and Director, Joseph Kane; Screenplay, Olive Cooper and Louis Stevens; Based on a novel by Zane Grey; Cameraman, Jack Marta; Editor, Edward Mann.

DIRECTION, Able. PHOTOGRAPHY, Good.

Capt. Barney Oldfield To Continue Pix Column

Lincoln, Neb.—Uncle Sam closed down on Barney Oldfield, Journal's marathon film-seeing movie critic here, and after five years in which he saw and wrote about 2,500 films, ordered him into the Army at Fort Crook. Barney is a captain of infantry, and has held a commission in the reserve since 1932. Orders call for a year's duty with the 3rd Infantry, regular army.

Journal is making arrangements to allow his weekly column on films to stay in, but KFQR, the radio station on which he did 819 broadcasts up to Saturday is putting Henrietta Dirks, his girl Friday, no duty for his sponsor, Lincoln Theaters Corp. (J. H. Cooper-Paramount).

"Pastor Hall" Opens in Cuba

Havana (By Air Mail)—UA's "Pastor Hall" started at the Encanto Theater Monday. Delay in censor's okay was occasioned by the fact that ministerial approval was necessary because of its anti-Nazi theme.

"Always A Bride"

Warners 57 Mins.

MILD, POORLY PLAYED COMEDY FEATURES MUCH TALK AND VERY LITTLE ACTION.

A talky, poorly played comedy which appears to be a little something written for the stage and not properly adapted for a motion picture. The players, mostly unknowns, do the best they can with the material on hand, but the whole thing is pretty flat.

Plot concerns the girl (Rosemary Lane) who is engaged to marry the town's leading young man—a stuffed shirt. The unnatural romance is broken up by a fast-talking chap whom she marries despite the fact he is broke. Eventually he redeems himself by running for mayor and winning after exposing the incumbent's graft.

CAST: Rosemary Lane, George Reeves, John Eldredge, Virginia Brissac, Francis Pierlot, Oscar O'Shea, Ferris Taylor, Joseph King, Phyllis Ruth, Lucia Carroll, Jack Mower, Tom Wilson.

CREDITS: Associate Producer, William Jacobs; Director, Noel Smith; Author, Barry Connors; Screenplay, Robert E. Kent; Cameraman, Charles Schoenbaum; Art Director, Ted Smith; Editor, Frank Magee.

DIRECTION, Poor. PHOTOGRAPHY, Good.

Ordinance Clears Way For Two New Theaters

Winchester, Ky.—An ordinance permitting granting of licenses to two new motion picture theaters here was adopted unanimously by the City Commission. It lessened from 300 to 50 feet the minimum distance a theater must be from the nearest school, hospital or amusement place and repealed a 1938 ordinance prohibiting licensing of theaters in buildings used as hotels or lodging places.

Object of the ordinance was to permit licensing of a picture theater newly-opened by Harry Schwartz, Lexington, and George B. Meyers, Frankfort, and another being constructed by S. D. Lee, of the Winchester Amusement Co., which already operates two theaters here and is remodeling a store to be used as a third.

Would Amend Building Code to Permit Theater

Ft. Lauderdale, Fla.—The Planning Board here has recommended to the City Commission that the present building code be amended to allow construction of theater buildings similar to the one planned by the Ware Investment Co.

The company has requested permit for the construction of a \$30,000 theater but was turned down when the board found the place could not have sufficient exits to conform to the code.

SHORT SUBJECT REVIEWS

"Motorcycle Stunting" Paramount 10 mins. Good Action Reel

Showing numerous aspects of motorcycle riding, this subject is of interesting and has plenty of action. It opens with scenes of the 100 mile national championship at Langhorne, Pa. Several motorcycle riders are seen pushing the mechanical steeds over the worst sort of terrain imaginable in a demonstration of the machine's usefulness as an Army unit. Then the Victor McLaglen motorcycle troop and Lucky Teter and his stunt riders are seen in maneuvers and daredevil acrobatics.

"Diary of a Racing Pigeon" Warners 10 mins. Highly Interesting Short

An interesting and informative short, this one-reeler deals with the training of racing pigeons, from the time they learn to fly until they have progressed to the stage where they race against time in big events. The novel commentary is presented in the form of what the pigeon is thinking, and shots from a plane literally give an audience a pigeon's-eye view of what he sees when he flies and how he does it. Knox Manning was the commentator and Del Frazier the director. Reel is in color.

"Tattle Television" RKO 19 mins. Amusing Comedy

Leon Errol should amuse audiences in this release. He and his wife are at a neighbor's watching a television broadcast of a wrestling match when his wife suggests that she would like a set of her own as a birthday gift. Errol sets out to buy a set and immediately runs into numerous difficulties with amusing results.

"Cookoo Cavaliers" (Three Stooges Comedy) Columbia 17 mins. Ribald Humor

Slapstick comedy addicts who enjoy nothing more subtle than fingers shoved in eyes and a salvo of indiscriminate knocks on the head will find this two-reeler delightful. Too, there are educational advantages in this short, such as how to tear the

hair from a pretty girl's head and disfigure three other comely damsels by making them bald. These nuances hatch from the circumstance of the fish-peddling stooges giving up that trade and seeking the vocation of saloon-keepers. Unfortunately their academic strategy results in their becoming proprietors of a salon—a beauty salon. The possibilities for horseplay is patent. The title, "Cookoo Cavaliers," could have been made to fit the film exactly by dropping the second word entirely. What the footage lacks in wholesome humor, it more than makes up via the beauty angle. The girls selected to enact the martyr roles will make male filmgoers wish there was a Santa Claus.

"The Magic Pencil" 20th-Fox 7 mins. Laughable Cartoon

Gandy, a wacky young goose, gets himself in and out of a lot of trouble in this short as a result of a radio show. The radio announcer says that the company will give a magic pencil to anybody turning in 2,000 box caps and 10 cents. Gandy shoots his material into the radio and gets his magic pencil back via the same route in short order. Gandy finally gets himself out of trouble by erasing the results of his art work with the magic pencil, and the pencil itself provides an amusing climax for the reel. Subject was produced by Paul Terry.

"Sneak, Snoop and Snitch" Paramount 7 mins. Mediocre Cartoon

The three spies of "Gulliver's Travels" make an inauspicious debut in this short subject, first of a series planned by Max Fleischer with the three characters. Reel has a couple of laughs, but not enough. The three characters steal a chest owned by the king and after great effort get it open to discover it contains a junior G-man badge and nothing more.

"Stranger Than Fiction" Universal 9 mins. Interesting Material

Albert Enlow, slingshot expert extraordinary; Harry Heist, an expert crocheter who makes amazing things in his spare time; a trolley car bungalow colony, a miniature tugboat that looks real and does anything its big sisters can; a prison artist who has developed great talent; and a pet penguin are presented in this subject. The material is both interesting and entertaining.

"Mexican Jumping Beans" Warners 10 mins. Interesting Short

The Martino family, a Mexican family that's been a family of acrobats for generations, provides interesting subject matter for this short. The entire family from the youngest member to the oldest is a specialist at some form of acrobatics, and the family goes through its paces in the reel with entertaining results. Every tough stunt known to circuses and tumbling acts is made to look easy by the Martinos. Eddie M. Davis directed.

"Sojourn In Havana" (A Columbia Tour) Columbia 9 mins. Appealing Reel

Producer Andre De La Varre captures the atmosphere and charm of Cuba's capital as he ranges through both the old and new sections of the city, recording views of architectural features of modern and ancient edifices; the beauty of avenues; bustling thoroughfares in the business dis-

trict; the waterfront; and several of the more important monuments which grace Havana. Perhaps the most impressive individual scenes are of the capital building itself; the ornate memorial erected to the memory of Cuba's principal liberator; renowned Morro Castle; and the Maine monument. This is an appealing reel which will be enjoyed by all types of fans, and will stimulate the desire in them to personally view the major city of the Caribbean.

"Hunting Wild Deer" (Sport Reel) Columbia 9 mins. Fair Subject

Here is a fairly interesting deer-hunting reel, filmed by Andre De La Varre on Sea Island, off the Georgia coast, and with Mrs. La Varre in the role of the modern Diana. There are some picturesque views of young bucks and does in woodland and clearing, and a brief amount of footage showing beagles on the scent. Scenically, and from the standpoint of nature study, the footage has charm, but much more on the technical side could have been done with it to make it really stirring and realistic.

"Wacky Wildlife" Warners 7 mins. Funny Cartoon

Leon Schlesinger presents another satire on wild animal life in this short, with highly amusing results. Reel burlesques the habits and traits of a lot of well-known animals. Audiences should get a kick out of the subject.

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Name Administrative Arbitration Com'tee

(Continued from Page 1)

ner in the firm of J. S. Bache & Co., brokers.

Parker will act as chairman of the arbitration committee, which will have the deciding voice in choosing panels of arbitrators for the motion picture tribunals.

Serving with Warburg as vice-chairmen will be Hermann Irion, general manager of Steinway & Sons, and Evan E. Young, vice-president of Pan American Airways. Miss Frances Kellor, first vice-president of the AAA, was named the executive member of the committee.

Others appointed to this key committee are Sylvan Gotshal, of the law firm of Weil, Gotshal & Manges; P. M. Haight, secretary-treasurer of the International General Electric Co., and Wesley A. Sturges, professor of law at Yale and former head of the Distilled Spirits Institute. None of the members of the committee will receive any compensation. Both Whitney and Eastman become ex-officio members of the committee.

Eastman said that the first task of the administrative committee will be to set up regulations for the establishment, maintenance and administration of the arbitration system for the film business. The committee is scheduled to meet weekly. Operation of the tribunals will be in charge of J. Noble Braden, executive secretary of the AAA.

Warburg's father was a founder of the AAA in 1926. The younger Warburg was active in the preliminary negotiations involving the arbitration features of the consent decree, representing the AAA. He is 36 years old and spends considerable time directing social welfare projects.

Six-Point "Inner Unity" Plan

Whitney, in accepting the presidency, advanced a six-point program to strengthening the country's "inner unity" and maintain peace in industry. Objectives, as Whitney outlined them, were:

"To greatly increase the types and numbers of businesses now using the arbitration clause in their contracts. The association is now geared and manned with sufficient personnel to handle many times the number of cases being brought to it.

"To improve relations between Government and business by urging use of arbitration, instead of law courts, to settle their disputes.

"To drive for arbitration laws in states which have not yet provided them.

"Development of better business relations in inter-American trade through elimination of misunderstanding in Latin-American markets.

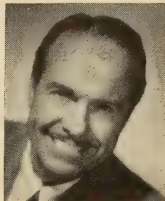
"Expansion of better business and economic relations with Canada as a part of Western Hemisphere defense.

"Expansion of arbitration in the

WHO'S WHO IN HOLLYWOOD

• • • Introducing Interesting Personalities • • •

BERNARD B. BROWN. Head of Universal's Sound Department. Born at LaFarge, Wis. Attended Public School and Hollywood High School in Hollywood, Calif. Attended the Los Angeles Conservatory of Music and Arts where he specialized in the study of the violin. After graduation he was for two and a half years violinist at the Philharmonic Auditorium in Los Angeles. Started at Warner Bros. Studio as a violinist, later becoming musical director and scoring all pictures at that studio. When sound revolutionized the making of motion pictures, Warners undertook to prepare him for the new development by having him tutored by the finest sound engineers available. Later was made head of the Sound Effects and Musical Recording Department. Joined Universal as Recording Supervisor. Later was made head of the Sound Department. Has made all recordings of all the Deanna Durbin pictures, including the Stokowski recordings for "100 Men and a Girl," which won the Motion Picture Award for music in 1938. In 1940, was awarded the Sound Award on "When Tomorrow Comes." Invented the multiple microphone pick-up for music recording. Was first sound engineer to use the method of recording the orchestra music without the singer, and then playing the record back as an accompaniment for the singer. One of his latest inventions is the development of a special sound house for recording singers. Hobbies: tennis, skiing and photography.



Paul Short New Head Of Dallas Variety Club

Dallas, Tex.—The Variety Club of Dallas (Tent No. 17) Monday night unanimously named Paul Short, divisional manager of National Screen Service, as chief barker to replace R. J. O'Donnell, who retired from the post after five years' service.

The following were named directors: R. E. Griffith, Paul Short, Lynn Stocker, B. C. Gibson, Ted deBoer, James O. Cherry, William O'Donnell, Burt King, W. G. Underwood, Don Douglas and Jake Lutzer.

Burt King was elected first assistant barker; James O. Cherry second assistant barker; Ted deBoer, dough euv; Don Douglas, property master. Delegates named to the national convention at Atlantic City in April are: Duke Evans and Clyde Hoover, with Wallace Walthall and Fred Hoenescheid as alternates.

Title Changing Epidemic Hits Para.; Four Swaps

Title changing epidemic hit Paramount yesterday. "The Southerner" reverted to the original "Virginia," reportedly to meet Virginian squawks. Pix was filmed largely on location in the state. Other swaps: From "There's Always Juliet" to "One Night in Lisbon"; from "A Date with Destiny" to "The Mad Doctor"; from "Magic in Music" to "The Hard-Boiled Canary." Latter was also variously titled "Interlochen" and "There's Magic in Music."

Pacific to cover commercial relations with the Hawaiian Islands, Philippines, Dutch East Indies and other countries with which this country has commercial relations."

Resume La Crosse Trust Trial Jan. 6

(Continued from Page 1)

would be a settlement of the \$1,472,000 damage action.

Case was brought by the La Crosse company against Paramount, United Artists, 20th Century-Fox, Minnesota Amusement Co. and the Wellworth Theaters Co. Plaintiffs charged that they were unable to get the better pictures for their houses.

Wometco Food Matinees Assist Needy In Miami

Miami, Fla. — Miami's poor will celebrate second Thanksgiving Day tomorrow with food collected by the Wometco theaters here on Monday as the price of admission. Twelve houses in the circuit were opened to the public until 5 p.m. for special matinees where the only price of admission was a can of food. At each theater door, Salvation Army attendants waited to take the canned goods for distribution to Miami's poor. Last year the army obtained 11,051 cans of food. Lincoln and Surf theaters, featuring "The Great Dictator" at advanced prices, did not participate in the collection.

GTE to Pay 25 Cents

Directors of GTE have declared a dividend of 25 cents per share on the capital stock, payable Dec. 20 to stockholders of record Dec. 10.

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THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 106

NEW YORK, FRIDAY, NOVEMBER 29, 1940

TEN CENTS

BRANDT ASKS TRIAL PERIOD FOR DECREE NBC to Test Theater Television Within 4 Weeks

New Yorker Theater Will
Be Used for Experiment,
Company Execs. Disclose

NBC within four weeks will begin testing theater television, using a 9 by 12 screen in the New Yorker theater, it was disclosed yesterday by Frank Mullen, vice-president and general manager, and A. H. Morton, vice-president in charge of television. The New Yorker, at 523 Eighth Ave., seats 380.

Tele's immediate future and the probable action that will be taken if the National Television Systems Committee hands down a favorable

(Continued on Page 10)

Xmas Eve Closing Urged in Detroit

Detroit—A move to close all theaters for Christmas Eve has been started by Co-operative Theaters of Michigan.

Two hundred theaters in Detroit were polled, including members and non-members of Co-operative, and the first reply to the poll was 85 to

(Continued on Page 4)

IATSE Said to Plan 16 mm Jurisdiction for the ACG

New Orleans—Daily meetings of the IATSE Executive Board concluded with indications that some definite ACG action would be taken to establish the jurisdiction of that body in the 16 mm. commercial field,

(Continued on Page 7)

Referee.—LeBaron

West Coast Bur., THE FILM DAILY
Hollywood—Evidently inspired by the gridiron practice of tossing a coin to decide which team is privileged to make a choice of a goal to defend, Paramount's Production Manager William LeBaron decreed just that to solve a knotty problem 'twixt two young femme film players, each with the name of Dale—blonde Virginia and red-haired Dana. The studio solon held that two Dales on the lot were too many, and confusing. So the winner of the toss will have as her goal the name of Dale to defend, while the loser will "kick off" the conflicting name.

"The Great Dictator" Will Open Minimum Run of 17 Weeks in B. A. in Late December

Buenos Aires (By Cable)—"The Great Dictator" is set to open here late in December for a minimum run of 17 weeks, it was reported here yesterday. Chaplin picture goes into the Lococo's Opera House for a minimum of one week, then to the Normandie for a minimum of four and next to the Suipacha for twelve. Reported selling terms are 70 per cent for top business and 50 per cent for normal.

Philippines Called "Utopia" for Films

The Philippine Islands represent a film trade territory that might be considered a "Utopia in an unsettled world," according to Dan Greenhouse, RKO's manager in Manila, who is here for a vacation.

Greenhouse said yesterday, in contrasting his territory with those in other parts of the world, that the Philippines have no foreign exchange restrictions, no quota restrictions, taxes that are not out of proportion with the taxpayers' capacities and no effort on the part of the Govern-

(Continued on Page 7)

Dick Anderson of RKO, Industry Veteran, Dies

Dick Anderson, widely known veteran of the film industry, died yesterday in his apartment at the Claridge Hotel after an illness of several months. Since February of 1939 he had been with RKO Radio, devoting his time to the physical distribution of RKO Pathe News, working in conjunction with Short Subject Sales Manager Harry Michalson and

(Continued on Page 7)

Pathe Film 9 Months Profit at \$215,188

Net profit of \$215,188 for the nine months ended Sept. 30, after provisions for Federal taxes, interest and dividends on the preferred stock, was reported yesterday by Pathe Film Corp. This figure is equal to 30 cents a share on the common stock, compared to 26 cents a share on the common for the same period in 1939 when a net of \$192,002 was reported.

Total income of the company is derived from dividends on 3,500 shares of stock it owns in Dupont Film Manufacturing Co. Dupont net

(Continued on Page 4)

"U" Execs. Will Testify Before Posen Suit Trial

Universal Pictures officers and directors, Universal Corp., Big U Film Exchange, Inc., and Standard Capital Co., were directed yesterday to testify before trial by New York Supreme Court Justice Charles B. McLaughlin in the suit of Samuel I. Posen. Action charges a number of alleged acts of waste and mismanagement and seeks the appointment of a receiver and an accounting.

UA to Add 4 More Producers? Silverstone Would Raise Roster to 19

U. S. Films Grab Market In Panama's 32 Theaters

Washington Bureau of THE FILM DAILY
Washington—American pictures continue to monopolize the playing time of Panama's 32 motion picture theaters, according to the report of the American commercial attache in

(Continued on Page 7)

Murray Silverstone at the present time is talking deals with four additional producers to bring the total of those releasing through United Artists to 19, according to the December issue of Fortune magazine, published today.

Fortune includes among its featured articles the story of United Artists, the article taking the unique

(Continued on Page 10)

"Let's See If It Is As Bad As We Think It Is," Urges President of ITOA

A plea for exhibitors to stop their antagonism against the consent decree and to give the new plan of operation a trial was expressed yesterday by Harry Brandt, ITOA president. Brandt, still bitter against most of the provisions of the decree, said it would be better to see if it would work rather than press for court action against its enforcement.

If at the end of the prescribed period of trial, the decree causes extensive injury to exhibitors, Brandt proposed that all exhibitors, regardless of affiliation, band together and drive for legislation that will halt further enforcement. Although opposed to legislation in film industry

(Continued on Page 4)

La. Film Censorship Law Does a Fadeout

New Orleans—Louisiana's film censor law, passed by the late Huey P. Long but never enforced apparently has been kicked out by the backdoor route. Legal opinion here is to the effect that the recent "reorganization" amendment, which reorganizes the state government and which was passed by voters in the general election, automatically kills censorship

(Continued on Page 7)

N. Y. Strand Long Runs Cause WB to Sell Away

Product jam, occasioned by lengthy runs of top Warner product at the New York Strand, is causing the company to sell away some pictures originally scheduled and announced for the Broadway show window in an effort to solve the local playdate

(Continued on Page 4)

GFD Offices Bombed

London (By Cable)—Offices of General Film Distributors here have been badly damaged by a bomb dropped by a Nazi aerial raider. Company has moved its headquarters to Ascot.



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JOHN W. ALICATE : : : : Publisher

DONALD M. MERSEUR : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Thursday, Nov. 28)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.				
Cols. Pict. vcs. (21½/96)	5½	5¼	5½	
Columbia Pict. pfd.	21	21	21	
Con. Fm. Ind.	9	8½	9	-1/16
East. Kodak	141	140½	140¾	-1/4
do pfd.				
Th. Eq.				
Loew's, Inc.	29	28½	28½	-1/8
do pfd.	107¾	107¾	107¾	+1/4
Paramount	93¼	92	93¼	+3/8
Para. 1st pfd.	98	98	98	-1/4
Para. 2nd pfd.				
Pathe Film	10	9¾	9¾	
KOD	23½	2¼	23½	+1/8
20th Century-Fox	5¾	5¾	5¾	
20th Century-Fox pfd.				
Univ. Pict. pfd.	96½	96½	96½	
Warner Bros.	3½	3½	3½	+1/8
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6446	102½	102¾	102¾	-3/8
Loew's deb. 3½/246				
Para. B'way 3555	50	49½	50	
Para. Pict. 6555				
Para. Pict. cv. 3¼/247	95½	94½	95½	+2½
Warner Bros. cvs. 6448	91¾	91¼	91¾	+1/2

NEW YORK CURB MARKET

Monogram Pict.	1½	1½	1½	
Sonotone Corp.	17	17	17	
Technicolor	93	9¼	9¼	-1/8
Trans-Lux				
Universal Corp. vtc.				
Universal Pict.				

Bulova, Gillette Seek "Santa Fe" Radio Rights

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. representatives confirm the published report that Bulova watch and Gillette Razor Companies are among several sponsors dickering for broadcast rights to "Santa Fe Trail" premiere at Santa Fe, N. M., Dec. 13.

It is understood that the deal will require the sponsors to pay all line expenses which are expected to reach \$25,000 and other promotional costs.

Savini Reports Midwest Optimistic Over Future

A general feeling of optimism in the Midwest was reported yesterday by R. M. Savini, president of Astor Pictures Corp., who has just returned from a Midwestern tour. New theaters are being built and under discussion in many cities and towns, he said. This, Savini declared, assures the independent distributor of a further outlet for his product.

The tendency, he added, is toward smaller houses allowing greater turnover and lower admission prices. This trend on the part of the exhibitor to meet the average purse is also shown in his preference for reissues as opposed to re-makes. It is the exhibitor's experience, Savini said, that the former are not only more popular, but are secure on much more favorable terms. Re-makes, he declared, are inevitably compared with the original and usually the comparison is far from favorable.

Improvement in general conditions, plus a better break on product, has the average independent exhibitor in a decidedly optimistic frame of mind, which will not only result in new building activity, but also in remodeling and general improvement of independently owned theaters throughout the country, Savini asserted.

Dunbar-Moore Testimonial In Pittsburgh on Dec. 9

Pittsburgh—A testimonial dinner will be given in the Cardinal Room of the William Penn Hotel here on Dec. 9, for Robert Dunbar and F. D. "Dinty" Moore of the local Warner-First National exchange, in honor of their recent promotions, Dunbar as manager of the Cincinnati branch and Moore as assistant manager of the local office.

E. T. Beedle is chairman of the banquet committee, which consists of George Purcell, John Perry, Carl Pike and Jack Mapel.

20th-Fox Will Pay 37½c Dividend on Preferred

Board of Directors of 20th Century-Fox at its meeting yesterday declared a cash dividend of 37½c per share for the fourth quarter of 1940 on the outstanding preferred stock of the corporation, payable Dec. 27, to stockholders of record at the close of business Dec. 13.

"Navy" Does "Rockne" Biz

San Diego, Calif.—Warners' revival of "Here Comes the Navy" got off to a smashing start at the Spreckles theater here, the opening day biz equalling that of "Knute Rockne" and "City of Conquest."

NWMP Starts In Boston

Boston—NWMP goes into the Metropolitan Theater for two weeks at slightly advanced prices.

Higher Taxes Cut Profits Of Canadian Loew Firms

Montreal—Moderate improvement is indicated in annual report of Marcus Loew's Theaters, Ltd., covering fiscal year ended with Aug. 28, but higher taxes reduced profits for period to \$94,508 compared with \$121,007 in 1939. Net operating profits from the Yonge St. theater and Uptown theater, Toronto rentals, and interests is reported at \$208,637 compared with \$203,160 a year ago.

During the year preference dividends amounting to 14 per cent were paid to cover the period to Dec. 31, 1938 whereas during previous fiscal period preferred dividends amounting to 29½ per cent covering period to Dec. 31, 1936.

Montreal—Report of Loew's London (Ontario) Theaters, Ltd., for the fiscal year ending with August shows a moderate improvement in gross revenue, but owing largely to heavier depreciation charges and excess profits tax, net profit declined. Revenues are reported at \$159,186, compared with \$148,266 in previous fiscal year.

After all charges, net profits was reported at \$7,707 compared with \$11,815 a year previous. A preference dividend of 3½ per cent was paid on Dec. 15 last covering the period to June 30, 1935.

Jack Cohn to Address Ampa Luncheon Dec. 12

Jack Cohn, vice-president of Columbia Pictures, will address the Ampa luncheon meeting on Dec. 12, it was announced at yesterday's regular session in the Hotel Edison at which Zenn Kaufman, author of "Showmanship in Business," was the featured speaker.

Kaufman's theme was the possibilities which the elements of dramatization have in the field of advertising and selling, including the realm of motion pictures. He gave several instances where showmanship is being successfully used in business, and asserted that the very elements present in the motion picture itself need to be used in selling the product.

Universal Execs. Off for Dave Miller Testimonial

Tom Murray and B. B. Kreisler of Universal plane out to Cleveland today to attend tomorrow's testimonial dinner there for Dave Miller. "U's" branch head celebrating his 20th anniversary. William A. Scully and F. J. A. McCarthy are also expected to arrive in Cleveland for the affair.

"Love Thy Neighbor" Bow At N. Y. Paramount Dec. 18

Para.'s "Love Thy Neighbor," starring Jack Benny and Fred Allen, will have its world premiere at the New York Paramount Dec. 18.

COMING and GOING

A. MONTAGUE, Columbia's general sales manager, returns to the home office Monday from the Coast.

TOM MURRAY and B. B. KREISLER, of Universal, fly to Cleveland today to attend the Dave Miller testimonial dinner.

JEANETTE MACDONALD arrives here Sunday winding up a concert tour that started the first part of this month in Arkansas.

RUBE JACKER, assistant sales manager for Columbia, returned to New York yesterday from company's recent sales meetings in San Francisco.

HENRY BLANK is due here next week from Chicago.

ARTHUR DE TITTA, newly appointed Coast manager for Movietone News, is in Washington for a few days.

MAUREN O'SULLIVAN was here yesterday for a few hours en route to Canada to visit her husband, JOHN FARROW, who is an officer in the Canadian Navy.

DAVID ROSE arrives here today from England.

JANE WYATT has left for the Coast.

Paramount Enterprises Has 16 In Miami Sector

Miami—Paramount Enterprises, Inc., will operate 16 houses in Miami Beach and here this winter as compared to 13 last year. Four will be brand new structures, just built. Para. sold its old Community on Lincoln Road for \$142,500 to Bradley-Thompson, Inc. It will be torn down in the Spring and replaced by stores. It is now readying to open a new Lincoln Road 1,600-seat de luxe house to be called the Beach theater, a second in Coral Gables to be called the Coral and seat some 1,000 persons, and a third recently finished theater in the northwest section to seat some 1,000 and be known as the Dade. Already open is its new Boulevard theater on Biscayne boulevard in the northeast section.

Albert J. Cohen Promoted To Producer at Republic

West Coast Bureau of THE FILM DAILY

Hollywood—Albert J. Cohen has been promoted to a full producership at Republic. He is succeeded as story editor by Maurice Hanline. Cohen produced "Who Killed Aunt Maggie?" while still a story editor.



**CLOSE THAT DEAL
TOMORROW BY
TELEGRAPHING TODAY VIA**

**Postal
Telegraph**

CHARGES FOR TELEGRAMS 'PHONED IN
APPEAR ON YOUR TELEPHONE BILL.

**"Excellent...the essence of box-office material.
Exciting entertainment for any audience!"**

—MOTION PICTURE DAILY



**THE
YEAR'S HIGHEST
PITCH IN SCREEN
EXCITEMENT
IS REACHED IN**

BLACKOUT

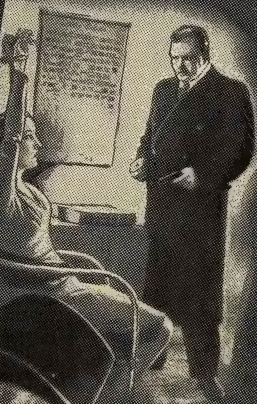
Starring

CONRAD VEIDT • VALERIE HOBSON

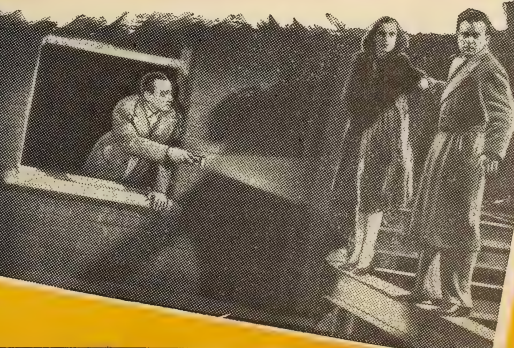
Presented by UNITED ARTISTS

YOU'LL THRILL...

when **CONRAD VEIDT**
fascinating general of "Escape", meets
a woman of glamour as darkness
engulfs eight million Londoners. You'll
thrill at the flash-news timeliness of a
flaming romance that fills the most
amazing night two people ever lived!



**Here's one of the sus-
pense-selling ads in
U. A.'s mile-a-minute
action-campaign!**



Brandt Asks Trial Period for Decree

(Continued from Page 1)

operation, Brandt said he would advocate it if the decree hurt exhibitors.

"We can lick the decree if we all get together," he contended, "but let's see first if it is as bad as we think it is."

Brandt said he did not agree with Ed Kuykendall, Max A. Cohen and some Allied units on their proposals to go to court to halt enforcement of the decree's provisions. Brandt said he believed any such action will be tossed out of court. As to what Kuykendall, Cohen and others thought of the decree as a whole, Brandt said he was in absolute accord. He said he also agreed with Kuykendall on the issue of Federal Judge Henry W. Goddard appointing outsiders to compose the arbitration appeal boards, branding such action as being "inconsistent."

Pathe Film Reports 9-Mos. Profit of \$215,188

(Continued from Page 1)

after all charges for the first nine months of this year was \$1,188,960, compared with \$1,244,229 for the corresponding period in 1939.

Clyde Fuller Promoted

S. H. Meinhold of Loew's has announced the following promotions and transfers on the New York Loew circuit: Clyde Fuller, assistant at Loew's Valencia, becomes manager of the Oriental, replacing Joseph Rubenfeld, deceased. Harvey Everett, Astoria, moves to Loew's Palace.

Radio Helps ATAHT in B.A.

Buenos Aires (By Air Mail)—Impressive b.o. showing of Warners' ATAHT in the Gran Cine Suipacha here and in provincial theaters in the interior is credited largely to effective radio exploitation. Radio El Mundo is using episodes from the picture.



November 29
Busby Berkeley
Rod LaRocque
Mildred Harris
Kay Johnson
Harold Beaudine
Genevieve Tobin
November 30
Reginald Denny
Jacqueline Logan
Kail Struss



● ● ● AT the very time yester morn that Columbia and Brown were locked in the first quarter of their eventual O-O deadlock up Providence way.....President Barney Balaban of Paramount University and big-wigs of his faculty.....flanked by the trade press cohorts.....marched to seats in the screening room "stadium" of the home office.....to lamp the film footage officially disclosing The Paramount All-American Team.....as selected by "Coach" Bill Slater, Paramount News sports commentator, and, incidentally, beating all other 1940 All-American football teams to the mythical gridiron by quite a margin of time.....The news-reel footage is very interesting.....showing as it does the individual stars selected.....both in classroom garb and battle array.....plus stirring views of their prowess in actual combat.....Gentlemen.....the Team!.....Ends, Gene Goodreault (Boston College), Erwin Elrod (Mississippi State).....Tackles, Nick Drahos (Cornell), Alf Bauman (Northwestern).....Guards, Augie Lio (Georgetown), Bob Saffridge (Tennessee).....Center, Rudy Mucha (Washington).....Backs, Frank Reagan (Penn), George Franck (Minnesota), John Kimbrough (Texas A & M), and the team's captain Tom Harmon (Michigan).....

● ● ● TODAY we award the coveted Phil M. Daly Order of Applause (with Two Palms).....to Karl Hoblitzelle, Interstate circuit's prexy, who has given three completely equipped ambulances for use in England.....The medical units are now in an Eastern port and will be shipped overseas immediately.....One ambulance was presented by Karl in his own name; another in the name of Interstate; and one in the name of Texas Consolidated, which Karl manages.....Presentation was made to B. L. Thomas, chairman of the British Aid Committee for Texas.....

● ● ● STUFF.....Carlos E. Niebla, general manager, and Alfredo Holguin, sales manager, of the Mexican offices of M-G-M are proudly sporting their special Leo buttons which Metro's home office sent them in recognition of their 10 years of service with the Mexican branch of the company.....New Yorkers are pretty thoroughly aware of the oncoming "Thief of Bagdad," what with the Genii float in the Macy Thanksgiving Day Parade; the Bonwit-Teller window displays on Fifth Ave.; and the show-window tie-up in Marcus & Co.....That's a right effective and practical Clip and Work Book which The March of Time forces have turned out aent its latest release, "Arms and the Man—U. S. A.".....Leo Guild and Ezra Goodman,—both of whom have been associated with major film orgs. in a public relations capacity,—have formed their own publicity biz with offices at 1270 Sixth Ave., Rockefeller Center.....

● ● ● THAT bow of Warners' "Santa Fe Trail" in Santa Fe's Lencic, Paris and Burro Theaters on Dec. 13-14-15.....will be first "rocking chair" premiere in Hollywood-trek history since all these houses are equipped with "Rocking Chair Loges".....inspired by pioneer theaterman Nathan Salmon dragging his rocker to theaters... ● Intelligence of college graduates and non-graduates will come to grips today o'er at RKO Radio's h.o.....Vice-prexy Frank Donovan's non-graduate team includes Margaret Drummond, Phil Reisman, Jr., and George Masterson.....and the Sheepskinners boast Walton Ament, Dudley Hale, Joe Walsh, and Mary Shannon.....Questions will be taken from the second "Information Please" book just published.....Pathe's music editor, Hi Fuchs, will be the judge, and Doris Monarque the interrogator.....Losers will buy winners a dinner.....which seems like a lousy idea..... Haven't those college grads had enough courses already!.....

Xmas Eve Closing Urged in Detroit

(Continued from Page 1)

3 in favor of closing. Over half of the houses replying agreed to close for the day, regardless of the position that might be taken by their opposition.

The day usually gives local houses one of the poorest grosses of the year anyway, traditional in show business, and is habitually a home-day in this territory, although matinee and evening business on Christmas Day itself is usually good.

N. Y. Strand Long Runs Cause WB to Sell Away

(Continued from Page 1)

problem thus presented, it was learned yesterday.

As a result, "The Lady With Red Hair," with Miriam Hopkins and Claude Rains, will go into RKO's Palace on Dec. 5. Another picture which is expected to go elsewhere is "A Dispatch From Reuter's," Edward G. Robinson starrer, released on Oct. 19, announced to follow "The Letter" on Dec. 6 at the Strand.

Yesterday, decision was reached by Warners to continue "The Letter" at the Strand for four weeks. The Bette Davis starrer opens its second week at the Strand today.

Release date for "Lady With Red Hair" is Nov. 30, with pix slated to open in 273 situations over the weekend.

Barney Weisman Dead

Detroit—Barney B. Wetsman, who build a number of Detroit theaters, is dead, following a heart attack. He is survived by his brother, Frank A. Wetsman, of Wisper & Wetsman Theaters.

Sullivan Hurt in Crash

Dallas—E. J. Sullivan, manager of Majestic theater, is confined to his home as the result of a car crash during a rainstorm. Sullivan suffered cuts on the face and injury to his kneecap.

Mono. Has Four in December

Monogram has set four for December release: "Chamber of Horrors," 10th; "Pride of the Bowery," 15th; "Her First Romance" and "Under Texas Stars." Exact dates for last two are unannounced.

STORKS!

L. Brown, manager of the Lyric. New Haven, is father of a 5½ pound baby girl.

Dallas — John Adams, executive assistant to Karl Hoblitzelle and R. I. O'Donnell of Interstate Theaters, is the father of a baby girl, christened Lucy Kay.



For Christmas...

"NO, NO, NANETTE"

With The "Irene" Girl In

The "Tea For Two"

Broadway Musical Hit!

ANNA
NEAGLE

in

No.
No.
Nanette

The musical comedy sensation
of the stage . . . screened to
the favorite melodies of
Vincent Youmans . . . with a
happy-go-laughing cast in
a carefree world of gaiety,
glitter and romance!

with

RICHARD VICTOR ROLAND
CARLSON ★ MATURE ★ YOUNG

HELEN BRODERICK • ZASU PITTS • EVE ARDEN
TAMARA • BILLY GILBERT • STUART ROBERTSON

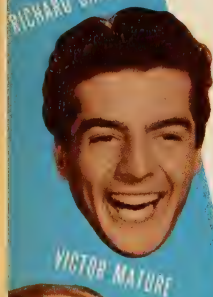
Produced and Directed by

HERBERT WILCOX

Screen Play by Ken Englund

From the Musical Comedy—"No, No,
Nanette"—by Frank Mandel, Otto
Harbach, Vincent Youmans, Emil Nyltray

Music by Vincent Youmans—Lyrics by Irving Caesar and Otto Harbach



TAMARA



EVE ARDEN



La. Film Censorship Law Does a Fadeout

(Continued from Page 1)

by not providing for a censor board in the new state set up.

Long passed censorship with the aid of a "yes man" legislature after the March of Time had chronicled his life in part and played up the Sands' Point affair. The late senator had threatened local theater interests with it unless they put back vaudeville in New Orleans theaters and then, after appointing a censor board, and meeting in New York with sales managers of film companies, failed to put the law into effect.

U. S. Films Grab Market In Panama's 32 Theaters

(Continued from Page 1)

Panama City made to the U. S. Department of Commerce.

Records of the Panama Statistical Office show that of 25,241 reels shown in the country last year, including the Canal Zone, 10,322 reels came from the U. S. Most of the remaining reels, imported from other countries, however, were also of U. S. origin. English-speaking films are preferred by the inhabitants, who are mainly bi-lingual, to those dubbed in Spanish. Pix attendance is up owing to increased employment in Panama and the Canal Zone resulting from the defense program now in progress.

"Go West" Starts Dec. 5 At Loew's in Syracuse

Syracuse, N. Y.—"Go West," Marx Bros. starrer, will start at Loew's State here Dec. 5, it was announced yesterday.

First key city dates for "Go West," new Marx Bros. film, were announced yesterday by M-G-M. On Dec. 12 the picture will have premieres in Memphis, Wilmington, Harrisburg, Akron, Reading, Kansas City, Columbus, Houston, Nashville, New Orleans, Richmond, Norfolk, St. Louis and Cincinnati.

Hicks Assigned to "Blonde"

West Coast Bureau of THE FILM DAILY

Hollywood—Russell Hicks has been assigned to an important part in "Strawberry Blonde" at Warners. Mc recently completed a role in "Far Horizon" at the same studio.

WEDDING BELLS

Cele Jones, formerly with National Screen Service and Trailer-Made, will be married Dec. 8 to Leo D. Poltzer, an attorney. Miss Jones is now with Peerless Outdoor Advertising Co.

REVIEWS OF NEW FILMS

"Barnyard Follies"

with Mary Lee, Harry "Pappy" Cheshire, Rufe Davis

Republic 68 Mins.

OFFERING FOR RURAL AREAS HAS AGREEABLE CAST, PLENTY OF MUSIC AND ENOUGH LAUGHS.

Designed for the film trade in rural areas, this offering probably will get a good reception in its own sphere. Story revolves around a 4 H Club set up for the kids in an orphanage, it has sufficient meat to support the musical interludes and has a rural farm area background. The cast is agreeable and the technical aspects of the picture are okay.

The charming young Miss Mary Lee has the top role, singing pleasingly and performing ably. Harry "Pappy" Cheshire, well-known radio personality, acquires himself with credit as the kindly manager of the orphanage. Other members of the cast are generally helpful, with Rufe Davis, Alfalfa Switzer, June Storey, Jed Prouty, Victor Klian, Joan Woodbury and Isabel Randolph among them. Recruited from the radio ranks for the picture were The Kiddoodlers, Ralph Bowman and The Cackle Sisters.

Cheshire takes \$5,000 of the orphanage money to set up a 4 H Club for the kids. Prouty and Klian try to run him out so as not to lose control of purchases for the orphanage. From there on Cheshire and his charges have lots of troubles; he falls heir to a night club and its performers; a show staged by the kids is stopped by Klian and Prouty and Cheshire is forced to leave; but a happy ending is contrived that is satisfactory.

CAST: Mary Lee, Rufe Davis, June Storey, Jed Prouty, Victor Klian, Joan Woodbury, Alfalfa Switzer, Robert Homans, Dorothy Harrison, Harry "Pappy" Cheshire, Mary Jane De Zurik, Carolyn De Zurik, Jim Jeffries, The Kiddoodlers, Ralph Bowman, Isabel Randolph.

CREDITS: Associate Producer, Armand Schaefer; Director, Frank McDonald; Original Screenplay, Stuart and Dorrell McGowan; Cameraman, Ernest Miller; Editor, Charles Craft.

DIRECTION, O.K. PHOTOGRAPHY, Good.

Form Esquire-Great Neck Corp.

Albany—Incorporation papers of Esquire-Great Neck Corp., operators of motion picture theaters, have been filed here. Company listed its capital as \$80,300, and is believed to be behind the new house being built in Great Neck, L. I. opposite the Skouras Playhouse. Michael Gerome, Robert Pulley and Richard Jackson were listed as the incorporators, with Simpson, Thacher and Bartlett acting as attorneys.

McGuire Remodels Studio

West Coast Bureau of THE FILM DAILY

Hollywood—Neil McGuire Productions has just completed five new coin-in-the-slot brevities. McGuire, pioneer producer in the new film medium, has just taken over and remodeled the studio at 1418 Commonwealth. In association with William Friedman, he plans a weekly release of from two to three pictures.

★ SHORTS ★

"River Thames—Yesterday"

Paramount 10 mins.

Interesting Subject

The peaceful River Thames, historic English waterway, will bring back nostalgic memories to many who see this reel. Taken before the war, the cameras move from the river's headwaters out to the open sea with a commentary describing the river's history and its usefulness. It is doubtful that many of the docks and other points seen in the film are still standing today. Technicolor enriches the material.

"Knock, Knock"

Universal 7 mins.

Funny Cartoon

Andy Panda and his pop have a considerable amount of trouble with a very fresh and pugnacious woodpecker in this subject with laughable results. Pop Panda sets out to get the woodpecker, in a blistering rage after the bird has made the roof of their house look like a sieve. But, although Andy finally gets the bird cornered the pandas get the bird from the bird in the long run and the woodpecker bangs pop around plenty.

"Plane Goofy"

20th-Fox 7 mins.

Amusing Short

A salesman for an airplane company descends on a rural farm with his wares, with amusing and amazing results in this reel. He demonstrates his machine in a spectacular manner and the barnyard denizens shortly take to the air themselves in a weird conglomeration of crates and old egg-beaters. The farmer also has a flight, but decides against it after he safely gets back to earth. Reel, which is in Technicolor, was produced by Paul Terry.

Para. Schedules Two Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has added "Two Bad Angels" by William A. Ullman, Jr., and Richard H. Landau, and "One Night in Lisbon," formerly "There's Always Juliet," to its Winter production schedule. The latter will star Madeleine Carroll and Fred MacMurray, with Edward H. Griffith directing. "Gay Be Our Laughter" has been shelved.

Brenda Marshall to 'Jinx Woman'

West Coast Bureau of THE FILM DAILY

Hollywood—Brenda Marshall and Jeffrey Lynn have been assigned by Warner Bros. to "Jinx Woman," formerly called "He's Mine on Sundays" and "Hard Luck Dame." Ida Lupino was at one time cast for Miss Marshall's role. Jean Negulesco will direct.

Philippines Called "Utopia" for Films

(Continued from Page 1)

ment to discriminate in favor of the local producers.

All in all, Greenhouse asserted, the revenue obtained there is not large in relation to other foreign countries, but it is substantial and the territory is still one of the few that still brings money to American distributors.

Business in the islands has been good, but a slight drop has been noticeable in recent months, Greenhouse said, adding that he could not account for the recession unless it was a reflection of unsettled world conditions.

Although there are 85 registered producing companies, only 12 contributed to the 60 pictures made in Manila last year, and only three or four companies made 90 per cent of the locally-made product. The four first-run theaters in Manila play American pictures almost exclusively, but in the hinterlands they divide the playing time with the native productions, Greenhouse said.

IATSE Said to Plan 16 mm Jurisdiction for the ACG

(Continued from Page 1)

in the automatic motion picture machine field and in servicing the new coin box motion pictures.

Much of the board's time was occupied with a study of television to see what its future policy would be, but reliable sources here said that the television field was still an unknown quantity which would require further careful study. General impression is that the board's policies will be developed as situations arise.

Dick Anderson of RKO, Industry Veteran, Dies

(Continued from Page 1)

Sid Kramer, manager of the Print and Negative Department.

Anderson had served in the industry as a booker, branch manager and district manager, then as sales manager of the Hearst International Newsreel. Later he became head of the Universal Newsreel Department and at one time was with Pathe News.

The newsreel veteran, who was 53 years old Wednesday, was a past master of Pacific Lodge 233 F. & A. M. He is survived by his widow, Ruth.

Radio Magic

West Coast Bureau of THE FILM DAILY

Hollywood—John Wayne and John Quallen appeared in Bill Backer's WGN radio version of "The Long Voyage Home" in Chicago Thanksgiving night and got home in time to hear the broadcast themselves. It sounds like the man who turned out the light and got into bed before the room was dark, but Los Angeles station KJL re-plays the Chicago program on wax—the following Monday night. So Wayne and Quallen had a treat few radio performers ever have—hearing their own broadcast.

REGULATIONS OF RULES OF ARBITRATION

I. Initiation of Arbitration

An arbitration proceeding shall be initiated by filing with the Clerk of the Tribunal having jurisdiction over the controversy a Demand for Arbitration and a submission as provided in subdivision 9 of Section XXII of the Decree, and by paying a filing fee of \$10.00 to the Clerk of the Tribunal.

Filed herewith and made a part of these Rules is a map showing the territory throughout which each Arbitration Tribunal shall have jurisdiction (each of which territories is hereinafter called an Arbitration District), and the city in each such Arbitration District in which the Arbitration Tribunal shall be located. The Tribunal having jurisdiction in a particular proceeding shall be the Tribunal maintained pursuant to Section XXII of the Decree in the Arbitration District in which the complainant's theater is located, except that when a distributor institutes an arbitration proceeding the Tribunal having jurisdiction shall be the Tribunal in the Arbitration District in which the theater involved is located.

The Demand for Arbitration shall be signed by the complainant and shall set forth:

The name and address of the complaining party, the name of each of the parties involved in the controversy; the name and address of each exhibitor or distributor against whom complaint is made (hereinafter sometimes referred to as a defending party); the name and address of each other exhibitor and distributor whose business or property it is believed by the complainant may be affected by an award in the proceeding; and a brief statement in simple language of the claim and the relief sought.

Within seven days after the date on which the Clerk of the Tribunal delivers a copy of the Demand to a defending party, such party may sign and file with the Clerk of the Tribunal a list giving the name and address of each exhibitor or distributor not named in the Demand whose business or property it is believed by the complainant may be affected by an award in the proceeding.

The Clerk of the Tribunal shall forthwith deliver a copy of the Demand to each exhibitor and distributor named in any list filed by a defending party.

Any exhibitor or distributor named either in the Demand or in any list filed by a defending party and any other exhibitor or distributor whose business or property may be affected by an award in the proceeding, may at any time prior to the commencement of the first hearing intervene and thereby become a party to the proceeding by filing with the Clerk of the Tribunal a statement which shall set forth his interest as an intervenor in the proceeding and a submission as provided in subdivision 9 of Section XXII of the Decree and by paying a filing fee of \$10.00 to the Clerk of the Tribunal.

The Clerk of the Tribunal shall forthwith deliver notice of each intervention to each party to the proceeding.

Any party who intervenes more than fifteen days after the filing of the Demand shall not be entitled to participate in the selection of the arbitrator.

If, at any time after the fifteenth day following the filing of the Demand and prior to the appointment of the arbitrator, a party to a proceeding who become parties, by intervention or otherwise, on or before said fifteenth day shall by written application to the Arbitration Tribunal select the Arbitration Tribunal having jurisdiction and file such agreement with the Clerk of the Tribunal originally having jurisdiction, jurisdiction of the proceeding shall thereby be transferred to the Tribunal so selected. Thereafter no further proceedings shall be had in the Tribunal originally having jurisdiction except that the Clerk thereof shall forthwith deliver notice of such transfer to the American Arbitration Association and shall forthwith deliver the entire record in such proceeding to the Clerk of the Tribunal so selected, who shall forthwith take the action prescribed in Rule VI of these Rules for the appointment of an arbitrator from the Panel of Arbitrators for his Tribunal.

II. Qualifications of Arbitrators

No person shall be appointed a member of a Panel of Arbitrators established in ac-

EDITOR'S NOTE: For the convenience of exhibitors and others in the industry who may wish to familiarize themselves with the provisions of the Rules of Arbitration in the interim before the arbitration setup becomes operative, THE FILM DAILY today presents the official text.

Inasmuch as it contains all those changes made subsequent to the publication of the original proposed draft of Oct. 30, its preservation for future guidance and reference is suggested.

cordance with the Decree who has any financial interest in, or has or has had any connection with, the production, distribution or exhibition of motion pictures, or has or has had any interest in any motion picture theater, as landlord, lessor or otherwise.

No member of a Panel shall serve as an arbitrator in any arbitration proceeding if he has or has had any financial or other relations with any party to the proceeding, or has any interest in the result of the proceeding, or has any personal bias, which might prejudice the right of any party to a fair and impartial award.

III. Appointment of Arbitrators

Not less than 15 nor more than 17 days after the filing of the Demand in accordance with Rule I, the Clerk of the Tribunal shall deliver to each party an identical list of arbitrators selected from the Panel of Arbitrators, for the purpose of enabling the parties to indicate thereon their preference of arbitrators. If the Clerk of the Tribunal does not receive the list from any party within seven days after the delivery of the list to such party, all the names on such list shall be deemed acceptable to such party.

The Clerk of the Tribunal shall forthwith appoint an arbitrator from the names indicated as acceptable to all parties. In the event no name appears from the lists to be acceptable to all parties, or that none of those shown to be acceptable is available, the American Arbitration Association shall appoint an arbitrator from the remaining names on the lists.

Not less than 16 days after the filing of the Demand and prior to the appointment of an arbitrator, (or in the case of an arbitration of a controversy under either Section IV or Section VII of the Decree, at any time prior to the appointment of an arbitrator) the parties to any controversy may by written agreement unanimously appoint one or more arbitrators from the Panel of Arbitrators to arbitrate such controversy, by filing such agreement with the Clerk of the Tribunal.

No irregularity in the appointment of an arbitrator shall affect the validity of the proceeding or of the award.

Notice of appointment shall forthwith be given to the arbitrator by the Clerk of the Tribunal, and a signed acceptance obtained.

IV. Removal of Arbitrator and Filling of Vacancy

Upon written application of any party prior to the date the arbitrator's award becomes final, the American Arbitration Association shall, upon proof satisfactory to it that an arbitrator is disqualified under Rule II, revoke the appointment of such arbitrator and declare the office vacant and his award, if any, vacated. No such action shall be taken by the American Arbitration Association in any case where an award has been made unless the applicant party shall have given five days notice of its application to all other parties. Unless application for disqualification is made within ten days after a party's discovery of the reason therefor, such party shall be deemed to have waived such disqualification.

The American Arbitration Association also may revoke the appointment of an arbitrator at any time by reason of his neglect, refusal or failure to perform the duties of his office. If the appointment of an arbitrator is revoked, or if by reason of resignation, death, or illness an arbitrator is unable to perform the duties of his office, a new arbitrator shall forthwith be appointed by the Clerk of the Tribunal from among the names acceptable to the parties or by the American Arbitration Association in accordance with the second paragraph of Rule III.

V. Hearings

Hearings shall be held at the office of the Arbitration Tribunal having jurisdiction of the controversy involved or at such other

place in the same Arbitration District as may be agreed upon by the parties with the consent of the arbitrator.

Hearings shall commence as promptly as possible after the appointment of the arbitrator.

The Arbitrator shall fix the time of the beginning of the hearing and may adjourn the hearing from time to time.

The Clerk of the Tribunal shall deliver to the parties written notice of the name of the arbitrator and of the time and place of the beginning of the hearing at least five days prior thereto, unless such notice is waived by the parties.

VI. Procedure at Hearings

The arbitrator shall take the oath of office in the form prescribed by the Administrator of the American Arbitration Association.

Parties may appear personally and be represented by counsel or by others.

Each party shall have the right to examine and cross-examine all witnesses.

Witnesses shall testify under oath or its legal equivalent.

Evidence shall be received only at hearings of which all parties shall have had due notice and the arbitrator in making his award shall consider only evidence so received and such inspections as he may make hereunder. The arbitrator shall have power to require any party to produce such records or documents as the arbitrator may deem necessary to a proper determination of the controversy. In lieu of producing or offering original records or documents, any party may, with the consent of the arbitrator, produce or offer sworn copies thereof or sworn excerpts of the relevant or material portions thereof. If any party challenges the authenticity, correctness or adequacy of such documents or excerpts, the arbitrator shall determine such authenticity, correctness or adequacy. All exhibits offered in evidence shall be numbered and so marked as to indicate whether or not they were received.

The arbitrator shall be the judge of the relevancy and materiality of the evidence offered and conformity to legal rules of evidence shall not be necessary.

Whenever the arbitrator deems it necessary he may make an inspection in connection with the subject matter of the controversy upon notice to the parties.

The arbitrator may hear argument and receive briefs.

VII. Closing and Reopening the Proceeding

After all parties have indicated that they have no further evidence to offer, the arbitrator shall declare the proceeding closed.

Prior to the expiration of the time for making an award the arbitrator may reopen a proceeding upon his own initiative, or for good cause upon the written application of any party on five days' notice to all other parties.

Any time within twenty days after the award has been filed the arbitrator may also reopen the proceeding for the purpose of correcting inadvertent errors in the award.

VIII. Defaults and Withdrawals

If any party to a proceeding defaults by failure to comply with the fourth paragraph of Rule I, or by failure to appear at the hearing after an arbitrator is appointed, the proceeding shall nevertheless continue to an award unless all other parties to the proceeding request a dismissal. A party who defaults or withdraws shall not be entitled to participate further in the proceeding but shall be bound by the award.

IX. Powers of Arbitrators

The arbitrator shall have the powers and shall perform the duties granted to and imposed upon him by the Decree and these Rules, and in making his award he shall comply with the Decree and these Rules.

X. Awards

The award shall be filed with the Clerk of the Tribunal within 30 days from the date of closing of the proceeding, or from the date fixed by the arbitrator for the filing of briefs, whichever is later.

The award shall be specific, shall contain such findings as are required by the Decree and shall be signed by the arbitrator and acknowledged before a notary public or other officer duly authorized to administer oaths.

In his award the arbitrator shall assess costs against the losing party or parties or apportion them among the parties as he may deem proper. Costs shall be limited to the arbitrator's fee and the filing fees.

The Clerk of the Tribunal shall forthwith deliver a copy of the award and any corrected award to each party, with the date of filing endorsed thereon.

The award or, if corrected, the corrected award shall become final and binding upon the parties upon the expiration of the time for filing a notice of appeal therefrom, unless an appeal is taken in accordance with these Rules.

XI. Arbitrator's Fees

The American Arbitration Association shall fix for each Arbitration District the per diem expense of the arbitrator, which in no event shall exceed \$50.00 per diem. The arbitrator shall be entitled to the per diem fee for each day or part thereof that he shall attend a hearing to make an award.

Any expenses incurred by an arbitrator in making inspections as provided in Rule VI, or in conducting hearings at other places than the Tribunal office as provided in Rule V, shall be borne equally by the parties.

No other compensation or expenses and no gratuities or benefits of any kind shall be paid to or conferred upon an arbitrator by any party.

Prior to the commencement of each day's hearing or inspection, each party to the proceeding shall deposit with the Clerk of the Tribunal a sum equal to the arbitrator's per diem fee. Failure to make such deposit shall constitute a default.

After an award is filed, the arbitrator shall be paid his fee out of the sums deposited by the parties to the proceeding. The Clerk of the Tribunal shall return any undisbursed sums to the parties entitled thereto upon the final disposition of the controversy.

XII. Stenographic Cost

The Clerk of the Tribunal shall make the necessary arrangements for the taking of a stenographic record of the testimony when such a record is requested by one or more of the parties, who shall deposit the cost thereof with the Clerk of the Tribunal.

Any party desiring a transcript of the stenographic record of the hearing shall pay the cost thereof and in the event that such party did not pay the cost of taking the stenographic record it shall reimburse the other party or parties for the cost thereof.

(Under Rule XIV no appeal can be taken unless three copies of the transcript of the record or an abbreviation thereof are filed with the Clerk of the Tribunal.)

XIII. Extensions of Time

The parties may in writing unanimously agree to extend the time specified in any of the foregoing rules and, except as to Rule X, the arbitrator may extend such time upon the written application of any party upon five days notice to all other parties.

XIV. Notice of Appeal

Any party to an arbitration proceeding may appeal from an award by filing a notice of appeal with the Clerk of the Tribunal of \$25.00 to the Clerk of the Tribunal in which the award was made, not later than twenty days after the date of filing of the award or the corrected award. The Clerk of the Tribunal shall forthwith deliver a copy of the notice of appeal with the date of filing endorsed thereon to each party to the proceeding and to the Clerk of the Appeal Board.

The appellant shall have made at his own expense, within ten days after filing the notice of appeal, shall file with the Clerk of the Tribunal in which the award was made, three copies of the transcript of the stenographic record of the hearing or such abbreviation thereof as may be agreed upon by the parties.

OFFICIAL TEXT OF RULES OF ARBITRATION

XV. Record on Appeal

Upon receipt of the three copies of the transcript or of an agreed abbreviation thereof filed by the appellant, the Clerk of the Tribunal shall forthwith prepare the record on appeal which shall consist of the following:

1. The Demand for Arbitration and the submission.
2. Statements and submissions of intervening parties.
3. Notice of appointment and signed acceptance of the arbitrator.
4. Clerk's record of hearing.
5. Three copies of the transcript of the stenographic record of hearing or such abbreviation thereof as may have been agreed upon by the parties.
6. Exhibits received in evidence and exhibits offered but not received in evidence, except such as may be omitted by stipulation of the parties.
7. The award.

Unless otherwise directed by the Appeal Board, the record on appeal shall remain on file in the Tribunal until expiration of the time for filing of all briefs as provided in Rule XVI.

Immediately upon the expiration of such time the Clerk of the Tribunal shall transmit the record on appeal to the Clerk of the Appeal Board.

XVI. Proceedings on Appeal

Within thirty days after the filing of the notice of appeal, each party shall deliver a copy of his brief on appeal to every other party and file with the Clerk of the Appeal Board six copies of such brief with proof of delivery of a copy thereof to each other party.

Within forty days after the filing of the notice of appeal, each party shall deliver a copy of any answering brief to each other party and file with the Clerk of the Appeal Board six copies of such brief with proof of delivery of a copy thereof to each other party.

Upon the written agreement of all parties the Appeal Board shall, upon its own initiative may, order oral argument. At any time not later than five days after the expiration of the time for filing answering

briefs any party may apply to the Appeal Board for permission to present oral argument.

Such application shall be in writing, shall state the reasons therefor and shall be filed with the Clerk of the Appeal Board, together with proof of delivery of a copy thereof to each other party. Any objection to such application shall be made in writing and filed with the Clerk of the Appeal Board, together with proof of delivery of a copy thereof to each other party, within five days after the filing of the application. The ruling on such application shall be made by the Appeal Board forthwith after the expiration of the five day period allowed for the filing of objections and a copy of the ruling shall forthwith be delivered by the Clerk of the Appeal Board to all parties.

When the Appeal Board has ordered oral argument it shall fix the date thereof. The Clerk of the Appeal Board shall deliver to the parties notice in writing of the time and place of such argument, at least ten days prior thereto.

Oral arguments shall be heard by the Appeal Board only in New York, New York.

XVII. Decision and Opinion of the Appeal Board

All members of the Appeal Board shall pass on all appeals and, except as provided in Rule XIX, on all other matters, and the concurrence of two shall be necessary to a decision.

The decision of the Appeal Board together with an opinion stating the reasons therefor shall be in writing and signed by the members of the Appeal Board or a majority thereof. The decision shall be acknowledged before a notary public or other officer duly authorized to administer oaths. The decision and opinion shall be filed with the Clerk of the Appeal Board, who shall forthwith file a copy thereof with the Clerk of the Tribunal and shall forthwith deliver a copy thereof to each of the parties. The Clerk of the Tribunal shall forthwith notify each of the parties of the date of filing with him.

The Appeal Board in its decision may affirm, modify, correct or reverse the award of the arbitrator, including provision for costs

therein, or may remand the proceeding to the Tribunal for a re-hearing or for further action in accordance with the decision of the Appeal Board.

The Appeal Board in its decision may assess the cost of the stenographic record and of the transcript thereof against the losing party or parties, or apportion it among the parties as it deems proper.

XVIII. Proceedings subsequent to Decision of Appeal Board

Unless the Appeal Board remands the proceeding to the Tribunal or reopens the proceeding as hereinafter provided, the decision of the Appeal Board shall become the final award and shall become binding on all parties ten days after it is filed with the Clerk of the Tribunal.

When the Appeal Board remands a proceeding the arbitration shall thereupon proceed in accordance with the decision of the Appeal Board.

Within ten days after the decision of the Appeal Board has been filed with the Clerk of the Tribunal the Appeal Board may require the proceeding for the purpose of correcting inadvertent errors. In such case the corrected decision shall be signed and acknowledged and copies thereof shall be delivered and filed as provided in Rule XVII. Such corrected decision, unless it remands the proceeding to the Tribunal, shall become the final award and shall become binding on all parties when it is filed with the Clerk of the Tribunal, or ten days after the decision corrected thereby was filed with the Clerk of the Tribunal.

XIX. Extension of Time

The parties may by written agreement extend the time specified in any of the Rules relating to appeals, and any member of the Appeal Board may do so upon the written application of any party made upon five days notice to all other parties.

XX. Submission of other controversies

Controversies between exhibitors and distributors other than those for which arbitra-

tion is provided by the Decree may be submitted to the arbitration system by the parties thereto, provided:

- a) At least one of the parties thereto is a distributor defendant as defined in the Decree; and
- b) A submission in writing setting forth the controversy to be arbitrated is signed by all the parties thereto and filed with the Clerk of the Tribunal having jurisdiction.

Those Rules insofar as they are applicable shall apply to the arbitration of such controversies except as the submission may otherwise provide and except that no exhibitor or distributor may intervene therein.

XXI. Access to Records

At no time shall access to the record of any proceeding or appeal be permitted to any person not a party, except that awards, decisions and opinions may be made public.

XXII. Definitions

"Decree" means the Consent Decree dated November 14, 1940 entered in the United States District Court for the Southern District of New York in an action entitled "United States of America v. Paramount Pictures Inc. et al."

"Arbitration Tribunal" and "Tribunal" mean the Tribunal established by the American Arbitration Association in any city as provided in the Decree.

"Clerk of the Tribunal" means the Clerk of the Arbitration Tribunal having jurisdiction.

"File with the Clerk" means actual receipt by the Clerk.

"Delivery" or "Delivery" means either personal delivery or the placing of the document in the mails properly stamped and addressed to the person intended to receive such document.

"Proof of Delivery" means an admission of delivery or an affidavit of personal delivery or of mailing.

"Award" means award and findings. "Person" means any individual, partnership, unincorporated association, or corporation.

30 Fox Intermountain Houses to Sell Candy

Denver—Candy counters will be placed in about 30 theaters in the Fox Intermountain area following the success of counters in the Denver and Paramount theaters here. Press Woods, recent assistant manager of the Denver, has been placed in supervision of the project. Woods has just returned from Los Angeles where he completed a month's training in candy display and selling.

Chuck Norton, chief of service at the Denver, takes over the assistant manager job.

Joliet Too Near Chicago So Legit Shows Are Off

Joliet, Ill.—Great States circuit has cancelled all legit. bookings for the Rialto theater here. Decision results from the conviction that the town is too near Chicago, attractions playing here failing to attract a paying attendance. Circuit, however, will continue legit. bookings for Peoria, Springfield, Quincy, Decatur and Danville.

Broidy Dinner on Dec. 3

Boston — Testimonial for Steve Broidy, new Monogram general sales manager, will be held at the Hotel Statler on Dec. 3, not Nov. 30, as published.

Form Cleveland Firm To Distribute Soundies

Cleveland—Urban Anderson, Sam Brodella and George Ulicigan have formed Midwest Specialists Co. to handle distribution of Panoram Soundies throughout the northern Ohio territory. They have leased office space in 303 Film Bldg. and expect to be in operation by the middle of December. Anderson resigned as manager of the Capitol Theater, an Associated Theaters Circuit house, to take over the new project.

Central States Appoints Day as District Manager

Des Moines, Ia.—Central States Theater Corp. has appointed Jesse Day, former resident manager of the Rialto theater at Fort Dodge as district manager in charge of the firm's houses in northern Iowa. Post is a new one and Day will take over his new duties on Dec. 1.

H. N. Schrodt, manager of the Grand theater at Estherville since 1935, will become resident manager of the Fort Dodge house.

Hold "Dictator" for Fifth

Cleveland — Charles Raymond, Loew division manager, announces that "The Great Dictator" will be held a fifth week at Loew's Stillman Theater.

Chi. Opera's "Falstaff" Recorded for Thomas Pix

West Coast Bureau of THE FILM DAILY

Hollywood—The first footage for "Kingdom Come," starring John Charles Thomas, has been brought here by Charles Ford, general manager of Producers Corp. of America. Recording is a complete rendition of the English version of "Falstaff" with Thomas singing the starring role. This is the first time that a film has been shot at the Chicago Civic Opera House during the performance. Special continuity for this opera was written by John Natteford and Luci Ward. Thomas will be here shortly, about the middle of December, to continue studio shooting on the RKO-Pathe lot.

UAC to Pay 40 Cents

Montreal — Directors of United Amusement Corp., Ltd., have declared dividends of 40 cents a share on the "A" and "B" shares, payable Nov. 30, to shareholders of record Nov. 15.

WB Buys Mystery Comedy

West Coast Bureau of THE FILM DAILY

Hollywood — Warners purchased "The Man They Couldn't Kill" a mystery comedy by Sidney Biddell and Frederick Frank, reportedly as a vehicle for Edward G. Robinson.

Texas Floods Require Film Delivery Detours

Dallas—Flash floods in East Texas caused a great deal of detouring by drivers of Liberty Film Lines, which distributes by truck to most points in Texas. On a return trip from Houston it was necessary for one truck to detour more than 200 miles. It was not so fortunate on the Amarillo run, as sleet storm cut off the run at Childress. On the whole, the film went through to the show houses.

Premiere Exchanges Get 10-Year Select Franchise

Denver—The name of the Premiere Exchanges, here and in Salt Lake City, will be changed to Special Attractions, Inc., with the signing of a 10-year franchise to handle the Select Attractions product here and in the Utah capital. George Kerer, who operates in Denver, and his brother Harry, who operates in Salt Lake City, go to Chicago shortly for a convention of Select franchise holders.

To Team Douglas-Veidt

West Coast Bureau of THE FILM DAILY

Hollywood—Metro will team Melvyn Douglas and Conrad Veidt for the male leads opposite Joan Crawford in "A Woman's Face." George Cukor will direct and Victor Saville produce.

NBC to Test Theater Tele Within 4 Weeks

(Continued from Page 1)

report in January were discussed by both Mullen and Morton.

Uppermost, additionally, were the factors that NBC will continue to spend approximately \$500,000 annually in television, and that national defense is one of the major factors in determining the future of television as an industry.

It was also asserted that the panel reports by the NTSC are now not expected to be completed before the end of January, and that at least one report will be delayed until at least Feb. 15. This came as a surprise as it had been understood the reports would be ready Jan. 1.

At the present time, it was pointed out, technical problems are being given preference over programming. The major problems being studied include synchronization, sound, etc., and full co-operation is being given, and will continue to be given, to the NTSC. Of the 34 hours of technical tests held during the past week, 20 hours were held for the NTSC; six hours were devoted to programs, and the balance were concerned with FM and sound transmissions. Color television is also being tested, but is still in the experimental stages, with all the various processes being given full consideration by the engineers engaged in the research work in the RCA lab. However, it was stated that color tele is still a vague problem.

The practicability of television on a syndicated basis is still one of the major issues confronting NBC. The first step in linking together a network will in all probability be taken as soon as the Washington and Philadelphia stations are completed, with programs being sent to New York, and then to Philly through the use of coaxial cables. Because of the indefinite state of the costs involved, the problem can't be determined until the practical tests are begun, but it is believed that an effort will be made for the three-way tie-up as soon as possible.

While there are some 4,500 sets now in use in the metropolitan area, programming will continue to emphasize special events and outdoor programs. One of the problems confronting Morton in the programming of television is the various unions and their demands. While television is still in a strictly experimental stage, and there is no income from that source at all, unions to date have not made an attempt to set up a special rate structure, and as a result future meetings with all the unions involved, including the AFM, AFRA and the stage hands, must take place.

Opening up of new advertisers is also seen, with department stores and fashion centers among those most likely to pay the initial bills for localized advertising via the new media.

UA to Add 4 More Producers? Silverstone Would Raise Roster to 19

(Continued from Page 1)

from of a "final shooting script" which, to quote the foreword, "is appropriately cast not in the form of a treasurer's report, but as a costume drama, an affair of cloaks and swords."

Through the use of a narrator and some 20 "scenes," the article traces the origin and growth of UA, highlighting stormy crises in its corporate history, and discusses, with considerable frankness, current problems presented by the Sam Goldwyn litigation, producer relationships, financing, effect of the war, etc.

\$25,000,000 Gross In 1939

Fortune says that UA in 1939 grossed about \$25,000,000, of which some \$15,000,000 came from the U. S. and Canada, and adds this was after a loss of several millions worth of frozen gross in Axis and other blocked-currency countries. Total UA income from distribution last year is given as \$7,000,000.

Silverstone is quoted as estimating that "to break even in the U. S., UA must release 15 pictures grossing an average of \$1,000,000 apiece." Last year, it is asserted, the company just about did that, with the aid of profits coming in from Britain and Europe. However, it is said that Silverstone thinks he can count more heavily this year on the American market and that UA will make money, assuring a "modest profit" for the five owners. Average domestic take of UA's 17 releases in 1940-41 "will probably be better than \$1,000,000 apiece," with the company's distribution charge said about 27 per cent of the world-wide gross.

\$4,000,000 U. S. Sales Overhead

Fortune declares that "on an average" UA pictures play around 10,000 theaters, with each picture's gross averaging about \$1,000,000, and percentage deals with large the-

aters accounting for two-thirds of the gross. Domestic sales overhead is stated at around \$4,000,000 annually. Advertising and exploitation are claimed to account for about one-sixth of UA's total expenses.

In the 21 years of the company's existence Fortune says more than 300 pictures have been released, grossing in the aggregate \$2,000,000,000 and giving UA a profit of about \$15,000,000.

Discussing the Goldwyn suit, the article gives two versions, official and unofficial, of the events leading up to its filing. Silverstone is quoted: "I'd like to make peace with Sam. I'd like to be a real help to Sam and I know I can be." Continuation of David O. Selznick with UA is also brought up, with Silverstone quoted:

Says Selznick to Stay

"Incidentally, don't be fooled if anybody tells you that Dave won't stay with us. Dave has no boss at UA and he loves that. The best test of whether he'll leave us or not is that he's been with us for over five years. And he's stayed with us despite terrific offers from other companies."

It is said that if GWTW had been handled by UA rather than Metro, Selznick's bonus would have been around \$2,000,000.

Pending Towne-Baker Deal With UA for 5-Year Term

West Coast Bureau of THE FILM DAILY

Hollywood—Gene Towne and Graham Baker, pending deal with United Artists, provides for two or three pictures a year for five years, and becomes effective in June of next year after Towne and Baker complete "How to Meet a Man" for RKO.

"Hellzapoppin'" Cancels Syracuse Civic Booking

Syracuse, N. Y.—"Hellzapoppin'," road version, won't play Syracuse University's downtown Civic Theater after all. Booking for Dec. 5 has been cancelled. While re-routing is the public explanation, decision is said to result from the show management's conclusion Civic's stage is too small. Show had a heavy advance at \$3.30 top.

RKO Seeks Jean Gabin

West Coast Bureau of THE FILM DAILY

Hollywood—RKO's Lisbon rep. has been instructed to negotiate with the French actor, Jean Gabin, provided he can come to America.

Chambers on Para. Publicity

Boston—Dcn Chambers has been placed in charge of Paramount's publicity for this district, with headquarters at the Paramount Exchange

Second Boston Burlesque House Turns to Movies

Boston—Another local burlesque house has "bit the dust"—The Casino going to movies only. The Gayety was first to abandon burly in favor of the cinema.

Ask Sunday Vote Recount

Williamsport, Pa.—A petition asking for an official recount of Williamsport's vote on Sunday movies has been circulated by the operators local here. Action followed the official tabulation which revealed Sunday movies was defeated by only 75 votes.

Red Skelton Gets M-G-M Contract

West Coast Bureau of THE FILM DAILY

Hollywood—Metro has signed Red Skelton to a term contract and has assigned him to "Mr. Co-Ed" and "Lady, Be Good."

BOOK REVIEWS

"The Best Pictures 1939-40 and the Year Book of Motion Pictures in America." Edited by Jerry Wald and Richard Macaulay. Dodd, Mead & Co., New York. Illustrated, 534 pages. Price \$3.50.

Dodd, Mead & Co. has started publication of a "best pictures of the year" series comparable to Burns Mantle's "Best Plays." First issue, for the season of 1939-40, is just off the presses and is a valuable library reference book and a guide for those interested in the construction of a motion picture continuity. The editors have selected seven outstanding pictures of the year, in as many classifications, written an introduction, given highlights of the continuities in detail and synopsized the rest of the action.

Picture chosen as the best farce of the year is "Bachelor Mother"; the best drama, "Goodbye, Mr. Chips"; among comedies, "Ninotchka" was chosen; among tragedies, "Rebecca"; "Mr. Smith Goes to Washington" is given top-rank among comedy-dramas; among biographical films, "Dr. Ehrlich's Magic Bullet"; while the gloried western, "Destry Rides Again," heads the action films. "Gone With the Wind" was not included for the reason that, because of the length of the continuity and probable injustice of any condensation, the editors were unable to effect an arrangement with the author and her publishers for the necessary treatment of that picture. While individuals may quarrel with the selection of the "best" in each of the seven classifications, there can be no doubt that the pictures included could not well be omitted in any selection of, say, the ten or dozen best films of the year. Whether the seven classifications fully cover the scene, however, is debatable—highly so. Three or four other classes will suggest themselves inevitably.

The volume contains a foreword by Walter F. Wanger, producer and president of the Academy of Motion Picture Arts and Sciences, on the value of such a work not only as a library reference book but also as a display of the extraordinary craftsmanship required in the making of outstanding films today and well worth the careful study of novices at scenario writing.

Condensations and discussions of the seven films selected fill only a little more than half of the volume. The rest is given over to the presentation of the other pictures of the year; synopses of the major productions with casts and credits; awards by the Motion Picture Academy, by the New York Film Critics Circle, and of "Ten Best Pictures of the Year" as selected by THE FILM DAILY from the votes of the newspaper film critics of the country. A full index completes the book and adds to its value for the student of the motion picture and for the general reading public which wishes to

Intimate in Character
International in Scope
Independent in Thought

THE FILM DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 107

NEW YORK, MONDAY, DECEMBER 2, 1940

TEN CENTS

5-10% FILM ATTENDANCE RISE IS SEEN \$1,150,000 GWTW Gross in 11 Foreign Countries

THE WEEK IN REVIEW

AAA Names Warburg

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: AAA named Paul Felix Warburg chairman of administrative committee for film industry's system under the consent decree... Gov't closed its N. Y. anti-trust office... Harry Brandt asked trial period for the decree without withdrawing any of his objections to it... "Big Five" will adapt its contracts to decree's terms... STOA weighs court move against decree while MPTOA delays any action. Ed Kuykendall, MPTOA prexy, terms theater divorcement's place in Gov't's proceedings a fake issue... Until industry's arbitration system is set, AAA announced its willingness to arbitrate pix disputes.

FINANCIAL: Warner Bros. announced net profit for year ending Aug. 31 of \$2,747,472 comparable to \$1,740,907 for 1939... Pathe Film's nine-months' net was reported at \$215,188... Gov't during October collected \$6,628,429 in admission taxes from the amusement industry, a jump of \$4,900,498 from October last year.

HAPPENINGS: Distributors will fight Gen. Wm. Haskell's proposal that clearance be waived for Army theaters at Fort McClellan, Ala... Gov't dismissed its criminal contempt proceedings against 12 pix companies and 54 individuals in the Fox West Coast action, counsel for D of J announcing that a compromise had been reached... Ross Federal Service survey forecast b.o. gains for the early winter... Douglas Fairbanks' estate interest in UA announced for sale to highest bidder. UA execs. discuss new plan of operation and reports indicate that four new producers are likely to be added to its roster... M-G-M is considering advanced prices for "The Philadelphia Story," with a number of test showings probable... Sunday legit. in New York City fails to make dent in film b.o. receipts... New Jersey court ruled Bank Night illegal... Number of foreign pix reviewed by New York censor board was up de-

(Continued on Page 12)

Represents "Take" Up to
Nov. 10; London's Gross
Thus Far About \$354,000

With a theater gross in this country that has already topped \$21,000,000, "Gone With The Wind" has grossed \$1,150,000 in the 11 foreign countries where it has opened to date. Picture is still playing in London with about \$354,000 grossed to date. Above figure is not inclusive of earnings since Nov. 10 in countries where it is still playing.

England, where it is still playing in London; Australia; Brazil; Uruguay.

(Continued on Page 5)

20th-Fox Branches To Meet on Decree

Following conferences between Sidney R. Kent and Herman Wobber last week on the ramifications of the consent decree, the 20th-Fox sales chief set meetings for every branch with the division manager of the respective territory to acquaint the field forces with the workings of the new procedure. Each division man-

(Continued on Page 5)

Decree Effects Pondered At Metro's Chi. Meeting

Chicago—M-G-M district managers and home office executives met here over the week-end to discuss the effects of the consent decree on distribution and to lay plans for the

(Continued on Page 6)

D of J Ends Probe of Ascap Silent on Possibility of New Trust Suit

Toronto Hears Masters Slated for Post in U. S.

Toronto—Reports that Haskell Masters, Canadian manager for United Artists, is slated for an important sales post in the U. S. branch of the distribution setup are in circulation here. Masters has been with

(Continued on Page 5)

Dye Vat for Three Features on Coast

West Coast Bur., THE FILM DAILY

Hollywood—It's the dye vat definitely for three more. Twentieth-Fox will shoot both "Belle Starr" and "Blood and Sand" in Technicolor, giving the company six color pix this season—"The Return of Frank James" and "Down Argentine Way," already out, and "Crad Hanna," set for Dec. 27, and "Western Union," set for Jan. 24. Paramount has decided on color for De Mille's next, "Reap the Wild Wind."

Army's Clearance System Will Stand

Washington Bureau of THE FILM DAILY

Washington—Although the letter of Maj. Gen. William Haskell, commanding the 27th (N. Y.) Division at Fort McClellan, Ala., has not been received at the War Department as yet—it presumably is taking its course through military channels—it was indicated at the week-end that his request for faster clearance to Army post's theaters and

(Continued on Page 12)

Record "Dictator" Deals Closed in 4 Countries

Walter Gould, head of UA's foreign department, announced at the week-end closing of four deals for "The Great Dictator" in Argentina, Canal Zone, Java and Straits Settlements. In every instance the Chaplin picture was sold at the highest possible terms, assuring the dis-

(Continued on Page 11)

Standard Statistics Says Improved Profits Coming As Result of the Upturn

Gain of 5 to 10 per cent in theater attendance is indicated as a strong possibility by Standard Trade and Securities in its latest survey of the motion picture and amusement industries, which points out that "the modest gain in domestic theater attendance in the recent past is expected to be accelerated in coming months by higher consumer incomes and the seasonal release of better quality pictures."

Standard Trade and Securities says:

"Rising domestic theater attendance and the accompanying expansion in motion picture company

(Continued on Page 6)

DuMont Coast Tele Post Goes to Buddy

Lewis Buddy has been named to take charge of DuMont's television activities in Los Angeles and is to co-ordinate the various details in connection with the establishment of the telecasting station there.

Buddy formerly headed Paramount's newsreel forces in Europe and covered various fronts of the war until brought back to the U. S. several months ago.

Present plans call for the inauguration

(Continued on Page 12)

"Mr. and Mrs. North" to be First Metro-Backed Play

First play to be backed by Metro under the new film company agreement with the Dramatists Guild was reported at the week-end to be "Mr. and Mrs. North," a dramatization by

(Continued on Page 6)

N. J. Allied Branch Meeting in Philly

Newly formed Southern New Jersey unit of New Jersey Allied meets today in Philadelphia to further perfect the organization. The Northern New Jersey branch meets tomorrow at its headquarters in New York.

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY

Washington—The Department of Justice has completed a comprehensive field investigation of Ascap as a result of new complaints filed against the Society, but the Anti-Trust Division, headed by Assistant Attorney General Thurman W. Arnold, on Friday refused to say whether the Government would file

(Continued on Page 12)

THE FILM DAILY

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JOHN W. ALICOATE : : : Publisher

DONALD M. MERSEAU : General Manager
CHESTER B. BAHN : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Friedman, The Film Renter, 127-133 Wardour St., W. 1. PARIS—P. A. L., 15a Boulevard des Capucines, 29 Rue Marsoulan (12). MEXICO CITY—Marco Aurelio Galigno, Depto. 215, Calle del Sinculismo, 99, Tacubaya, D. F.

FINANCIAL

(QUOTATIONS OF FRIDAY, NOV. 29)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.				
Col. Pict. vcs. (21½ pf.)	5½	5½	5½	.....
Columbia Pict. pfd.				.....
Con. Fm. Ind.				.....
Con. Fm. Ind. pfd.	8½	8½	8½	.....
East. Kodak	143½	141¾	143¼	+ ½
do pfd.				.....
Gen. Th. Eq.				.....
Loew's, Inc.	29½	28½	29½	+ ¾
do pfd.				.....
Paramount	10	9½	10	+ ¼
Para. 1st pfd.	98	97½	98	.....
Para. 2nd pfd.	10½	10	10½	+ ¾
Pathé Film	10½	10	10½	+ ¾
RKO	2½	2½	2½	.....
20th Century-Fox	6	5½	6	+ ½
20th Century-Fox pfd.	16	16	16	.....
Univ. Pict. pfd.	99	99	99	+ ½
Warner Bros.	3½	3½	3½	+ ¼
do pfd.				.....

NEW YORK BOND MARKET

Keith B. F. ref. 64½ 102½ 102½	+ ¾
Loew's deb. 3½s 96	.....
Para. Pict. vcs. 3½s 97	95½ 96½ + 1
Warner Bros. deb. 64½ 91¾	91¾ 91¾

NEW YORK CURE MARKET

Monogram Pict.				
Sonotone Corp.				
Technicolor	9¾	9¼	9½	+ ¼
Techni-Lux				
Universal Corp. vtc.	4½	4½	4½	.....
Universal Pict.	10½	10½	10½	+ ½

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. '45	Bid	Asked
Roxy Thea. Bldg. 4s 1st '57	62½	64

20th-Fox Ad. Pub. Staff Give Dinner for Reeve

Arch Reeve, who recently resigned as guest manager of 20th-Fox, was the guest of honor Friday night at a dinner tendered to him by Charles E. McCarthy, the personnel of the ad. and pub. departments, and a number of friends, at the Park Central Hotel. He leaves for the Coast tomorrow, with M. A. Bergman taking over the post.

The Broadway Parade

Picture and Distributor	Theater
The Great Dictator (United Artists-Chaplin)—last two days	Capitol
North West Mounted Police (Paramount Pictures)—4th week	Paramount
Seven Sinners (Universal Pictures)—3rd week	Rivoli
Bitter Sweet (Metro-Goldwyn-Mayer Pictures)—2nd week	Music Hall
The Letter (Warner Bros. Pictures)—2nd week	Strand
Tin Pan Alley (Twentieth Century-Fox)—2nd week	Roxby
Dulcy (Metro-Goldwyn-Mayer Pictures)	Criterion
Dark Streets of Cairo (Universal Pictures)	Kialto
Backout (United Artists)	Globe
Trailing Double Trouble (Monogram Pictures) (a)	Central
Design for Murder (World) (a)	Central
The Mark of Zorro (Twentieth Century-Fox Pictures) (a-b)	Palace
Tugboat Annie Sails Again (Warner Bros. Pictures) (a-b)	Palace

◆ TWO-A-DAY RUN ◆

The Great Dictator (United Artists-Chaplin)—8th week	Astor
Fantasia (Walt Disney Productions)—3rd week	Broadway

◆ FOREIGN LANGUAGE FEATURES ◆

The Baker's Wife (The Baker's Wife Co.)—39th week	World
Merry Wives (Edward Lloyd)—4th week	Bryant
The Man of the Hour (Trio Films)—2nd week	55th St. Playhouse
The Kiss of Fire (Hakim Bros.)—2nd week	Little Carnegie

◆ FUTURE OPENINGS ◆

The Son of Monte Cristo (United Artists-Small)—Dec. 4	Capitol
The Thief of Bagdad (United Artists-Korda)—Dec. 5	Music Hall
Love Thy Neighbor (Paramount Pictures)—Dec. 18	Paramount
A Despatch from Reuters (Warner Bros. Pictures)—Dec. 6	Strand
Victory (Paramount Pictures) (c)	Rivoli
One Night in the Tropics (Universal Pictures) (c)	Roxby
The Hit Parade of 1940 (Republic Pictures)—Dec. 5	Criterion
You'll Find Out (RKO Radio Pictures)—Dec. 5 (a-b)	Palace
Lady With Red Hair (Warner Bros. Pictures)—Dec. 5 (a)	Palace
Lady in Question (Columbia Pictures) (c)	Bryant

(a) Dual bill. (b) Subsequent run. (c) Follows current bill.

Bergman Presented Watch As He Leaves Columbia

Maurice A. Bergman, who recently resigned as Columbia's director of advertising-exploitation-publicity, and who takes up his new post today as advertising manager for 20th-Fox, under Charles McCarthy, was tendered a surprise luncheon Friday in the Hotel Astor's East Ballroom by his Columbia co-workers, more than 100 of whom attended, including Jack Cohn, vice-president, and Nate Spingold, both of whom spoke.

Strung across the Ballroom was a 20-foot banner reading: "Columbia Pictures presents to 20th Century-Fox 'GOLDEN BOYMAN' starring Maurice Bergman." Later was presented with a watch as a farewell gift.

Those present included:

A. Schneider, Joseph McConville, Rubie Jackler, Louis J. Barbano, Louis Weinberg, Louis Astor, Mortimer Wormser, Max Weisberg, N. L. Horton, Schorr, Sylvia Kossack, Frank McGrann, Jack Myers, Al Sherman, Larry Lipskin, Wm. J. McKale, Dave O'Malley, Max Seligman, Irving Moross, Leonard Fisher, Irving Wormser, Eve Ettinger, C. W. Sharpe, Leo Jaffe, Hank Kaufman, Jack Segal, Mark Freedland, Jose Schorr, Frank Rosenberg, George Ettinger, Harry Speigal, Ralph Martin, and

Sy Roman, Wm. Clemence, Ed Schwartz, Maurice Grad, George Josephs, Hal Hode, Floyd Weber, John Kane, Harry Takiff, Sol Trauer, Wm. Brennan, Max Cohn, Seth Raiser, Bernie Birnbaum, Vincent Borrelli, Arnold Picker, Maurice Brunet, John Agel, Clarence Schneider, Joseph Cohn, Charles Schneider, Joe Levy, Tom McCue, Joseph Friebner, Ben Morris, Irving Sherman, Herb Smith, and

R. B. Phillipot, Dave Robbins, Phil Weisman, Herman Golden, Harold Sachs, Robert Ferguson, Bernice Gobel, Miriam Hirschhorn, Nancy Klein, N. Amen, Wm. Bentley, Frank Beggs, Ches. Courtney, C. Don, F. Gotlieb, Wilbur Harrison, Jerry Kerr, Jack Kerness, Fred Small, Larry Kupler, Bary Phillips, L. Quanchi, Ray Williams, Jerry O'Neil, Irving Gillman, C. L. Schnabel, Margaret Kapler, Harry Vigoda, Charlotte Walerstein, Ernst Litchenstein, Mac Neuborn, Marvin Middleman, A. Coliano, H. Fastu, Murray Goldstein, John Pirrone.

Gates Named President Of Majestic Radio Corp.

Howard Gates, pioneer of the radio industry, has been named president of Majestic Radio and Television Corp., effective today. A controlling interest in Majestic is held by DuMont Television, which, in turn, is controlled by Paramount.

Gates has spent 21 years in designing, engineering and building radio receiving sets. He resigns from Detroit Radio Corp. as vice-president in charge of engineering to accept the Majestic presidency.

RKO Plans No Immediate Change in British Setup

No change in RKO's British operating head will be made for the present, it was stated over the week-end on the Coast by Phil Reisman, vice-president in charge of foreign distribution, following reports that a successor to the late Ralph Hanbury had been made. RKO's London office is in charge of two British sales executives. Hanbury was killed when his home was struck by a German aerial bomb.

Hughes "Outlaw" Ready In February or March

Howard Hughes' first production for release through 20th-Fox, "The Outlaw," starring Walter Huston, will be ready for release during February or March, it was learned at the week-end. Picture has a seven-figure budget. Sales policy for the Hughes production is now being formulated by Herman Wobber, 20th-Fox sales chief.

COMING and GOING

NATE J. BLUMBERG, prexy of Universal, left over the week-end for Hollywood.

DAVID ROSE leaves tomorrow for the Coast.

WILLIAM C. GEHRING, Central division manager for 20th-Fox, returns to the home office today from a two weeks' trip through his territory.

WILLIAM F. RODGERS and other Metro sales executives are due back at the home office today from the Chicago meeting.

MURRAY SILVERSTONE returns to his office today after conferences at the studio.

MARCOT GRAHAME arrived here at the week-end from Bermuda and immediately left for Canada.

ARCH REEVE leaves for the Coast tomorrow.

KENNY BAKER is at the Warwick.

EDGAR E. LLOYD left over the week-end for a sales trip through the West.

GENE RAYMOND, having completed his role in RKO Radio's "Mr. and Mrs. Smith," arrived in New York yesterday, to attend the concert Wednesday evening of his wife Jeanette MacDonald at the White Plains Community Center.

JULIUS and PHILLIP EPSTEIN are at the Essex House.

Appellate Div. Will Get Briefs in AGMA Appeal

Decision was reserved Friday by the Appellate Division of the New York Supreme Court on an appeal by AGMA for an injunction to restrain James C. Petrillo, AFM prexy, from ordering his men to refuse to work with AGMA members. Former Judge Frederick Crane and Sidney Cohen asked for the injunction, claiming that AGMA would be driven out of operation if Petrillo's order remains effective. Samuel Seabury defended Petrillo's action and termed AGMA a threat to the musicians' union. Briefs are to be filed this week.

Para. to Pay 15c on Com. 2nd Pfd.; \$1.50, 1st Pfd.

Paramount's board of directors on Friday declared a dividend of 15 cents per share on its common stock, together with a quarterly dividend of \$1.50 on its first preferred stock and a quarterly dividend of 15 cents on its second preferred. Dividends are payable Dec. 24 to common stockholders of record on Dec. 9 and preferred stockholders of record on Dec. 10.

Happy Birthday to You

From THE FILM DAILY to E. W. Hammons Julian Arthur Alfred L. Werker Alfred Reeves Frank Reicher Otto Browne Ezra Stone Gertrude Pysier

THE PAYING PUBLIC WANTS...



ROMANTIC INTRIGUE



EXCITING SWORD-PLAY



PRODUCTION MAGNIFICENCE



BREATHLESS ACTION



TORRID LOVE SCENES

Edward Small
gives you ALL of them in...

United Artists' Great Attraction for
NEW YEAR'S!

**THE SON OF
MONTE CRISTO**

*More thrilling, more romantic than
THE COUNT OF MONTE CRISTO!*

Edward Small presents

The **SON OF
MONTE CRISTO**

starring

LOUIS HAYWARD • JOAN BENNETT

with **GEORGE SANDERS**

FLORENCE BATES • MONTAGU LOVE

screenplay by George Bruce • directed by Rowland V. Lee

a Rowland V. Lee production

Released thru **UNITED ARTISTS**

\$1,150,000 for GWTW In 11 Foreign Nations

(Continued from Page 1)

guay; Chile; China, where it has only played in one theater so far; India; Peru; The Philippine Islands; Puerto Rico and South Africa are the countries where the picture has played. However, in almost every country it has only played in one or two houses and in comparatively few cities in each country. In six of these countries it has played in only one house in one principal city, leaving a still vast untapped market.

Largest representation picture has been in any one country has been in Australia where it has played in 12 houses in five cities. Picture has been set for more openings during the next few months in foreign territories.

At par rates of exchange the earnings of the picture would be considerably higher in foreign territories, as much as 30 per cent in one case. Estimating earnings of the picture on the basis of what it will do on its next runoff in this country and its further engagements in foreign territories, the picture very likely will go over the \$30,000,000 mark before the end of 1941, an all time record gross for any picture.

Kuykendall May Reveal MPTOA Decree Action

Charlotte, N. C.—MPTOA's future course of action with respect to the New York equity suit consent decree may be indicated here today when Ed Kuykendall, organization's president, addresses the annual convention of the TOA of the Carolinas.

Two-day meeting opened yesterday at the Charlotte Hotel with President Lyle M. Wilson of Roanoke Rapids presiding. Program for today's business sessions calls for addresses by William Conn, Webb theater, Gastonia; Roy P. Rosser, Temple, Sanford, and Roy Rowe, Pender, Burgaw.

All Chi. Film Houses Join to Aid the Needy

Chicago — All film theaters here will hold special morning shows Dec. 23 to raise funds to be expended for Christmas cheer for the needy.

New Stage Show at Strand

Strand Theater does the unusual next Thursday night—opens a new stage show in the midst of a picture's run. New stage show will be Humphrey Bogart and Mayo Methot appearing with Ozzie Nelson's orchestra.

900 at WB Chi. Club Dance

Chicago—Annual dinner dance for Warner employes in Chicago attracted 900 Friday night to the Morrison Hotel where the local Warner Club affair was held in the Casino Terrace.



● ● ● MORE than immediately meets the eye.....is contained in that mid-week dispatch from Hollywood.....which told of Republic's decision to spend \$50,000 for trade paper advertising alone.....in behalf of "Melody Ranch".....which will be tagged Gene Autry's first \$500,000 all-star production.....As Republic has grown.....there has gone along with its expansion a profound appreciation of a vital industry axiom.....namely, that the biggest asset to a producing organization's product.....is the creation of circuit and exhibitor desire to buy the product.....be it one picture or a whole lineup.....

● ● ● OTHER companies, of course, are going to fall in line.....with the already manifested Republic policy.....of investing an efficient and effective amount of coin.....to call theatermen's attention to the merits of product.....within the trade itself.....Such a conclusion is inescapable.....what with the consent decree's provisions and various ramifications.....including the dictum on trade showings.....and the block of five (as maximum) angle.....Certainly producer-distributors will be telling.....and will want to tell.....exhibitors more about product than ever before.....Consider, too, that features must be completed before they are bought.....injecting the time factor into the surrounding of pictures with an aura of golden sales messages.....which will have to be loud, clear and convincing.....if they are to be believed.....

● ● ● JUST the other evening.....at that marvelous "Night of Stars".....Jay C. Flippen was introducing Irving Berlin.....and remarked how amazing it was that the latter, after all the great song hits he had composed, that he succeeded.....in topping them all with "God Bless America".....We had something of the Flippen feeling on the week-end when we looked over a file-folder.....containing promotional material and cleverly reproduced letters anent RKO Radio's "Convoy," with an accompanying memo from Ned E. Depinet.....Considering all the ingenious promotional material which has come out of the RKO Radio camp.....this folder is absolutely "tops".....

● ● ● STUFF:.....John Arthur Block, formerly Drama and World's Fair editor for several Brooklyn weekly newspapers, has been appointed Drama and Motion Picture editor and critic of the American Banker, and will write and conduct, "Speaking of Theaters," a daily column of reviews and theatrical news.....Gaylord Mason, Fredric March's protege, is featured in Christopher Morley's play, "The Trojan Horse," now in its sixth week at the Millpond Playhouse, Roslyn, L. I.....Charlotte Wilkinson, Macy's fashion consultant, will be guest speaker tomorrow night at the meeting of Paramount's Educational Committee which, under chairmanship of Agnes F. Mengel, is sponsoring a series of lectures in the Home Office Recreation Hall.....The Czecho-Slovakian prize-winning film, "The Merry Wives," which was banned by the N. Y. Censor Board until recently, goes into its fourth week at the Bryant Theater today, 'twas proudly asserted on the week-end by Edgar E. Lloyd, who's youngest indie distributor in our U. S. pic industry.....Something to mull over: J. P. McEvoy's "Doubt Over Hollywood" in December issue of Stage magazine, oh, and incidentally credit Publisher Alexander Ince and Managing Editor Alexander King with discovering a unique approach to films, pictorially and otherwise.....



20th-Fox Branches To Meet on Decree

(Continued from Page 1)

ager will also be accompanied by a member of the company's legal staff. In addition to the meetings the company is now getting up manuals explaining operations under terms of the decree which will be given to all members of the sales force.

Kent will leave for the Coast shortly after the first of the year for product conferences with the studio heads which will also be attended by Wobber.

Toronto Hears Masters Slated for Post in U. S.

(Continued from Page 1)

UA since the company's founding in 1919.

Efforts to confirm Haskell Masters' reported shift to U. S. distribution were unavailing Friday. Issue may be clarified today upon the return of United Artists' top executive, Murray Silverstone.

NBC to Overhaul Tele Transmitter Dec. 4-11

NBC's tele transmitter atop the Empire State Building will shut down following an experimental program tomorrow night until Dec. 11. Shut down is to permit overhauling of the transmitting equipment.

Since its reconstruction several weeks ago, when the transmitting channel was changed to conform to an FCC ruling, the NBC transmitter has been used to conduct a series of highly technical tests, several of them in co-operation with various panels of the National Television System Committee, which is formulating a report on television standards for the Federal Communications Commission.

These experiments have necessitated changes in the transmitter which interfere with the transmission of experimental programs for the viewing audience, and it is to correct this situation, as well as to include technical improvements, that the uninterrupted "off the air" period from Dec. 4 to Dec. 11 has been set.

Henigson Will Supervise Roosevelt's "Pot o' Gold"

James Roosevelt's first feature, "Pot o' Gold," goes into production on Dec. 9. Because Roosevelt is in the Marine Corps at San Diego, supervision of the picture will be in charge of Henry Henigson, with George Marshall directing. Cast includes Paulette Goddard, James Stewart and Horace Heidt.

Chi. Raises \$26,000

Chicago — Jack Kirsch, proxy of Illinois Allied, reported Friday that film interests in Chicago had collected \$26,000 for the Community Fund, exceeding the industry's quota.

See 5 to 10% Film Attendance Rise

(Continued from Page 1)

profits, should more than offset continued low foreign revenues in coming months. Most producers and exhibitors should report improved profits in the current quarter and during the early part of 1941, at least.

The survey asserts that the excess profits tax will have little effect on most film companies and that the settlement of the New York equity suit by consent decree "should not prove burdensome to the producers involved, as they are also leading theater operators."

It is pointed out that the gain in theater attendance will not only swell b.o. receipts but will similarly increase rentals, and that "since theater operating costs are relatively fixed and new picture costs are lower, larger gross should result in a more than proportionate increase in net profits."

The survey adds:

"Continued warfare in Europe will have an adverse effect on foreign revenues, but unless England is defeated it is unlikely that they will decline much from recent low levels. Increased domestic profits, therefore, should result in larger aggregate earnings for the industry, with those motion picture producers who operate a substantial number of theaters making the best showing."

Investors Turning Interest To Film Stock Possibilities

Increased trading in film company stocks recently is due to the interest of investors who do not want to hold issues that are rated in the "war baby" class, according to the Wall St. Journal, which also points out that as far as taxes are concerned, film stocks are not among the more hard hit issues.

Investor interest is further stimulated by recognition of the fact that on an earnings basis, film stocks have managed to hold their own with the 1939 level of income, with some companies registering improvement. Financial paper says that the larger companies—WB, Para., Loew's and 20th-Fox are named—"have recovered to some extent from the shock of war and the loss of European income."

Decree Effects Pondered At Metro's Chi. Meeting

(Continued from Page 1)

return release of "Gone With The Wind." Tyree Dillard, Loew home office attorney, explained the legal aspects of the decree to the assembled sales staff. Sessions were presided over by William F. Rodgers, general sales manager.

Fifty managers and district men were here for the meeting.

Telling All

Petaluma, Calif.—There's nothing like telling all, as for instance this dual billing on the State's marquee:
"I Was an Adventurer"
"Ladies Must Live"

"Mr. and Mrs. North" to be First Metro-Backed Play

(Continued from Page 1)

Owen Davis of a series of stories by Mr. and Mrs. Richard Lockridge. Alfred De Liagre Jr. was said to be set as the producer and director.

Warner Zone Managers To Meet with Bernhard

Joseph Bernhard, general manager of Warner Bros. Theaters, will preside over a two-day meeting of the Warner Theater Zone Managers, beginning tomorrow in the home office. Those present at the meeting will be: James Coston, Chicago; Nat Wolf, Cleveland; I. J. Hoffman, New Haven; Don Jacobs, Newark; Moe Silver, Albany; John J. Payette, Washington; Herb Copelan, Atlantic City and Howard Waugh, Memphis.

Among the Home Office execs. who will participate in the conference are:

Clayton Bond, Ed Hinchy, Leonard Schlesinger, Harry Goldberg, Frank Phelps, Nat Fellman, Abel Vigard, W. Stewart McDonald, Harry Rosenquest, Louis Kaufman, Sam Morris, Herman Maier and Frank Cahill.

Simplex Employees Vote For CIO Representation

Syracuse, N. Y.—In an election conducted by Henry J. Winters of Buffalo, regional director of the NLRB, employees of the Cine Simplex Corp., voted, 88 to 22, to be represented in collective bargaining by the United Electrical, Radio and Machine Workers, a CIO union.

The Cine Simplex corporation, which manufactures a new type of motion picture camera by that name, was formerly known as the J. M. Wall Machine Co., Inc.

New Mexico City House To Play RKO First-Runs

Mexico City — The new Magerit Theater, which is to be the new RKO first-run outlet here, opens Dec. 12 with "Lucky Partners" the initial attraction. House is owned by Don Rafael Laffarga.

Hecht to Script "Tonight is Ours"

West Coast Bureau of THE FILM DAILY

Hollywood—Ben Hecht will do the script for "Tonight is Ours," the forthcoming Paramount version of Lady Eleanor Smith's popular novel, "Ballerina." Producer-Director Gregory Ratoff has announced. It will be a vehicle for Loretta Young who was signed for the role a few months ago.

Argentine Product To Mexican Distrib.

By MARCO-AURELIO GALINDO
FILM DAILY Staff Correspondent
Mexico City (By Air Mail)—New distribution deal involving the Argentine pix produced by Argentina Sono Film and Producciones Lumiton has been closed here with Felipe Mier y Cia., S de R.L., by Jose Maria Rodriguez, who heads the Argentine companies.

Rodriguez has just terminated a stay of several months here during which time he studied the Mexican market. En route to his Buenos Aires headquarters, he will stop in Panama, Colombia and Peru for business conferences.

Fernando Soler is organizing his own picture producing company to produce four pictures in 1941, in two of which he will star. Prior to the launching of his company, Soler is to star in two outside productions, one for Grovas-Oro Films, "Al Son de la Marimba" (While the Marimba Played), and one for Producciones Fernando de Fuentes, "Lubios Selados" (Sealed Lips), the latter slated to go into production early in December.

Linda Darnell, 20th Century-Fox star now on a vacation in Mexico, was the guest of honor at a dinner party tendered by the Circulo de Cronistas Cinematograficos (Film Critics Circle) and a group of outstanding players of the Mexican screen and stage at "El Patio," swank night spot.

Three new pictures are before the cameras locally. At the Cinematografica Latino Americana, S. A. (CLASA) plant, Grovas-Oro Films have started shooting on "Al Son de la Marimba" (While the Marimba Played), with Fernando Soler starring under the direction of Juan Bustillo Oro. With Emilio Tuerro, Joaquin Pardave, Marina Tamayo and Lolita Camarillo topping the supporting cast, the production will have the same cast and director as well as the same writer responsible for "En Tiempos de Don Porfirio" (In the Days of Don Porfirio), also known as "Melodias de Antano" (Melodies of Yesteryear).

Producciones Rodriguez Hnos. "El Secreto del Sacerdote" (The Priest's Secret) is being filmed at the studios of Laboratorios Cinematograficos Azteca, with Arturo de Cordova, Alicia Phillips, Rene Cardona, Miguel ("Lalito") Montemayor and Pedro Armendariz heading the cast. Joseilto Rodriguez is directing. At the same studio, Producciones Raul de Anda started camera work on "Rancho Alegre" (Gay Rancho), a musical romance which Rolando Aguilar is directing with Raul de Anda. Carmen Conde, Carlos ("El Chafan") Lopez, Emilio Fernandez, Dolores Camarillo and Agustin Isunzo in the cast.

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD

DEFERRING his vacation trip to Honolulu, A. Edward Sutherland flew to San Francisco to catch a performance of "Accident Daddy," by Clarence Radabaugh, with a eye to purchasing screen rights. The play is being presented by the Modern Theatre Group and is in its fourth week. Sutherland feels that several members of the cast warrant consideration for a chance in picture and is combining his story search with a talent hunt.

OUR Passing Show: Dr. William Seckel, the producer, and Attorney Herbert Silverberg lunching at the Brown Derby. Jack Benny, Arthur W. Stebbins, Leo McCarey, Jerome Kern and Harry Ritz at the preview of "Tin Pan Alley."

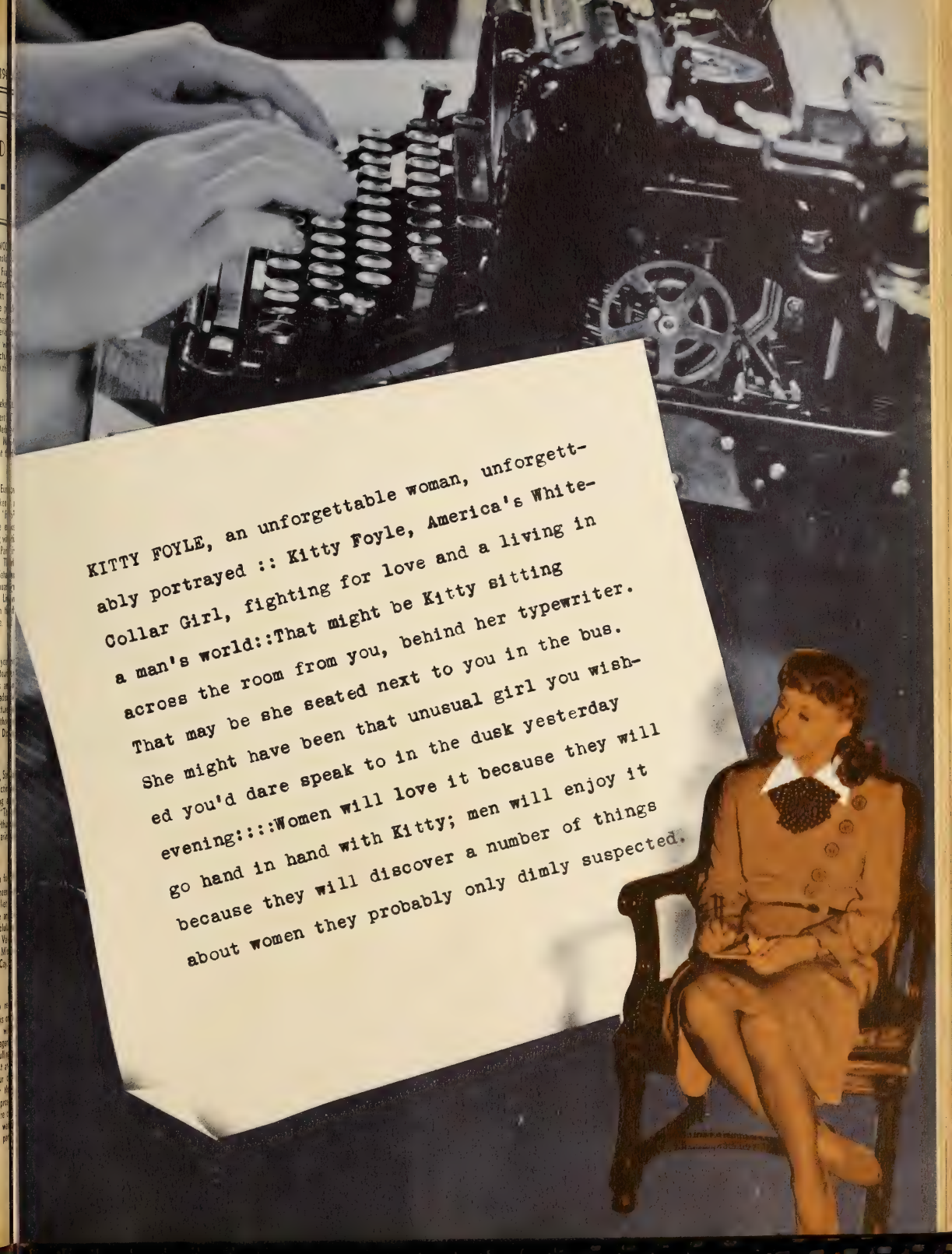
CONSIDERING another phase of the European war, Clarence Brown has taken a 30-day option on Samuel Warren's "For Tomorrow We Live." Based on the experiences of two French aviators serving with the R.A.F. who are shot down over Paris which was formerly their home town. This story is scheduled to appear in the Saturday Evening Post some time in January. Brown is currently directing "Come Live With Me," which concerns itself with the war from the viewpoint of the refugee. It will be an M-G-M release.

JACK OAKIE has in the past two years experienced one year and a half of tours, personal appearances and radio shows and just six months of picture making. Paradoxical as it may seem, three of his pictures have been released within the past three weeks, "Young People," "The Great Dictator" and "Tin Pan Alley."

COMBINING business with pleasure, Sam Wood, who just finished directing "Kitty Foyle," for RKO, is vacationing at Palm Springs before starting casting on "The Devil and Miss Jones," starring Jean Arthur. Much of his vacation will be spent preparing the script for shooting.

SEEKING a quiet place for a vacation following the completion of the screenplay for Paramount's "There's Always Juliet," which Edward H. Griffith will produce and direct, Virginia Van Upp will go to Honolulu, where she has leased a home in Manoa Valley for several weeks. On her return, Miss Van Upp will start work on "Dildo Cay," also for Paramount.

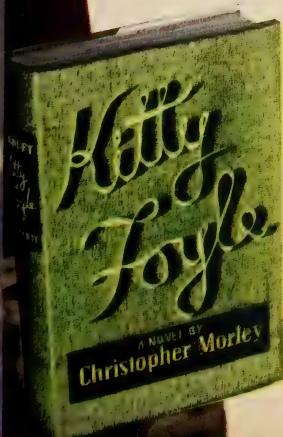
EDWARD EVERETT HORTON, who returned to Hollywood from 61 weeks on the road in "Springtime for Henry," will play the role of Flo Ziegfeld's press agent in M-G-M's "Ziegfeld Girl." He is mulling three offers to tour again and the most attractive offer is one to make a tour of Canada. He cannot decide whether the comforts of his Encino home and the prospects of "fat" film roles offset the lure of flesh and blood audiences. He will wait until he completes his "Ziegfeld Girl" part before committing himself.



KITTY FOYLE, an unforgettable woman, unforgettably portrayed :: Kitty Foyle, America's White-Collar Girl, fighting for love and a living in a man's world:: That might be Kitty sitting across the room from you, behind her typewriter. That may be she seated next to you in the bus. She might have been that unusual girl you wished you'd dare speak to in the dusk yesterday evening::: Women will love it because they will go hand in hand with Kitty; men will enjoy it because they will discover a number of things about women they probably only dimly suspected.



GINGER ROGERS is KITTY FOYLE, romantic
sharecropper in the dustbowl of American
business, as pictured in Christopher
Morley's amazing best seller : : The
Natural History of A Woman : : It had to
be written by a man, because no woman
would ever admit what it reveals : : It
is the mind and heart of the 20th
Century's young womanhood : : As candid
as a mirror, as true to life as in
the Ladies' Lounge, as intimate as the
secrets lovers whisper.



Produced by David Hempstead • Harry E. Edington, Executive Producer
Screen Play by Dalton Trumbo • Additional Dialogue by Donald Ogden Stewart



**DIRECTOR ALFRED HITCHCOCK SHOOTS
FINAL LAUGHS WITH CAROLE LOMBARD
AND ROBERT MONTGOMERY FOR
"MR. AND MRS. SMITH"**

"Mr. and Mrs. Smith," the hilarious story of a bride who couldn't stay mad, will soon reach the nation's screens, its riotous laughs filmed under the directorial genius of the director of "Rebecca" and "Foreign Correspondent." It's one of RKO Radio's big ones — and another of the biggest soon to be released is Orson Welles, as "Citizen Kane."

Studio Trip Again Local "Ten Best" Poll Award

Lincoln Journal and Star Will Send Winner to Coast For Wk., Paying Expenses

Lincoln, Neb. — Preparations to outdo the record of the Sunday Journal and Star's local "Ten Best" movie poll last year which drew 7,222 entries, this capital city paper will announce its contest early in December in collaboration with THE FILM DAILY's poll of the nation's critics.

The 1940 contest will be the fourth successive year for the stunt, which is handled by the Journal and Star film editor, Capt. Barney Oldfield.

So far as is known, through co-operation with exhibitors, the biggest top prize offered anywhere in the country is given in the Sunday Journal and Star poll—a free trip, all expenses paid, to Hollywood for a week's stay and tours of three or four major studios.

155 Other Poll Prizes

In addition, there are about 155 other prizes ranging from annual on down to single trip passes.

The Sunday Journal and Star does not work the contest confining it to the city limits and immediate trade territory alone, but precincts the entire state.

The idea is this:

The major contest is in Lincoln where the Lincoln Theaters Corp. (J. H. Cooper-Paramount), the Nebraska Theaters, Inc. (Howard Federer) and the Capitol Theater (Bob Livingston), give a total of 6 annual passes, 6 for 6 months, 6 for 3 months, 6 for 1 month, and 30 trip passes, as well as putting up prorata the money for the Hollywood trip. That makes one of each kind of the major passes for each house, and five singles for each.

In giving the outlying territory a break, the contest committee okayed the inclusion of county seat towns in the immediate territory affected by the paper's circulation. They put up passes in each town just as the passes are put up here, but are eligible for the top prize, the Hollywood trip. That localizes the contests, makes the exhib happy in big town participation, and widenspreads the scope of the paper's goodwill gesture.

The newspaper plan, to get around those exhibs who are afraid they might be flirting with local newspaper disaster if participating, are told to impress upon their local editors that it's purely a Sunday paper stunt, therefore, since hardly any of the towns have their own Sunday editions, there is no competition.

Outstate Exhibs Participate

Several outstate Nebraska exhibitors have already joined. They include Fay Honey, in Tecumseh; Wally Johnson, in Friend; B. M. Montee, in Beatrice; and T. J. Kempkes, in Fairbury.

To sell the idea to the public, there are two daily stories each week in the Journal (morning and evening)

Globe Displays Instruments for British Defense; Similar "Blackout" Tie-ups in Nation

An exhibit of rifles, binoculars and steel helmets, collected by the American Committee for Defense of British Homes, is now on display in the lobby of the Globe Theater, in conjunction with the premiere of the United Artists release, "Blackout." Patrons of the theater are requested to donate similar items for distribution to British civilians.

At the end of the "Blackout" engagement, the articles will be sent abroad for distribution by the Civilian Committee for the Protection of Homes, Castle Bromwich, Birmingham.

Similar tie-ups will be made throughout the country with representatives of the American Committee for the Defense of British Homes.

Record "Dictator" Deals Closed in 4 Countries

(Continued from Page 1)

tributor a large cash guarantee, plus 70 per cent of the gross, for extended runs and at roadshow admission prices.

The Argentine deal with Clemente Lococo not only includes the biggest guarantee a Chaplin picture has ever received but calls for its simultaneous premiere on Dec. 26 at three houses in Buenos Aires—the Opera, Suipacha and Normandie—first time in local history that a film has opened in three theaters.

Deal with the Rex Theater, Colon, in Panama also involves an unprecedented guarantee and 70-30 terms in favor of UA. In Soerabaja, Java, "The Great Dictator" will establish a precedent with simultaneous openings at four houses—the Capitol, Luxor, Kranggan and Flora. And in Penang, Straits Settlements, the Chaplin film will play in the Shaw circuit of 35 theaters at increased admission prices and for indefinite runs.

and the Star (evening) during the December life of the contest. Each Sunday paper carries THE FILM DAILY's list of pictures, a ballot, and a story front page calling attention to the amateur critic's opportunity.

Third Year For Coast Trip

This is the third year the Hollywood trip to be the top prize. In 1938, the trip was won by a farmer's wife who had never ridden on a train, never been in a hotel, never saw a studio, a broadcast, and had never seen a car driven by a chauffeur, let alone ride in one as she did to the studios. In 1939, it was a 16-year-old country schoolboy who won. His brother, who worked out a list for each member of the family, signed his name. The brother, and no other member of the family won, but the list to which the 16-year-old had his name attached won the trip. These made swell feature stories, the kind no news column could overlook, so besides being a promotional event for the paper, it was loaded in each case with human interest.

So far, in sounding out exhibitors for co-operation, the interest is higher for participation than a year ago when six theaters outstate took part.

Publisher Joseph W. Seacrest of the Journal said last year there had never been a stunt, to his knowledge, which drew as much response from readers as the "10 Best" poll.

Weber and Browne Again A F of L Vice-Presidents

New Orleans—Joseph N. Weber, former president of the A F of M, and George W. Browne, IATSE prexy, were re-elected fourth and twelfth vice-presidents, respectively, of the A F of L at the annual convention here.

In the instance of Browne, re-election was a distinct vote of confidence. The IATSE president for months has been under fire, with the attack in the press led by Westbrook Pegler, N. Y. World-Telegram columnist.

Browne was nominated by Thomas Murtha, business manager of the IA's Brooklyn local and president of the Trades and Labor Council of Greater New York. The nomination was seconded by Thomas V. Green, another IA delegate.

With the International Ladies Garment Workers abstaining from voting, Browne was unanimously elected amid applause and will serve on the A F of L Executive Council, charged with enforcement of the anti-racketeering resolution.

Under the resolution the Council is authorized to exert "all of its influence" to force action against unionists convicted of abusing their trust if the organizations directly involved fail to act.

A F of L leaders, privately commenting on Browne's re-election, pointed out that the 42,000 stage hands and motion picture employees belonging to the IA enjoyed uniformly high wage scales and excellent working conditions and that it was unfair to condemn a union leader on the basis of "vague" charges against some of his aides.

Brumberg to Get Warner Publicity Dept. Berth

Bill Brumberg, for the last three years assistant manager of Warners Chicago exchange, reports to the home office on Dec. 9 for publicity-advertising department assignment by Mort Blumenstock. After some time in New York, he will get an important post in the field.

Schuster on Withers Film

West Coast Bureau of THE FILM DAILY

Hollywood—Harold Schuster has been signed by 20th Century-Fox to direct Jane Withers' next starring vehicle, "A Very Young Lady."

Taft Suit Decision Sets a Precedent

Setting a precedent that may have an important bearing on future cases in the same category, Municipal Court Justice Mario Di Pirro ruled last week that the Taft Theater would have to pay Local 306, projectionists, \$700 in back wages and vacation money under terms of the ITOA agreement with the union, despite the claim of the Taft that it had resigned from the ITOA. The theater is operated by the Kissena Amusement Corp.

According to the Court, the ITOA contract is binding for members of the organization until such time as the contract expires, despite any withdrawal from the organization in the meantime. The Court also ruled that the theater must pay the costs. Granting of the motion for a summary judgment by Justice Pirro is expected to affect five or six other houses which have been in a controversy with the union over back wages.

Dipson-Basil Theater Circuit Changes Name

Albany—Two changes incident to the Dipson interests taking over the Basil end of Dipson-Basil Theaters, Inc., were effected here in legal papers filed with the Secretary of State.

In one D & B Operating Co., Inc. (the firm which operated the circuit) changed its name to Dipson Theaters, Inc., while in the other Dipson-Basil Theaters, Inc. changed its name to Dipson Realty Co., Inc.

Papers were filed by Max Yellen of Buffalo.

Shumow, Sales Manager For WB Chicago Branch

Chicago—Jack Shumow, who recently joined the local Warner Exchange, after 15 years with M-G-M, has been named sales manager of the branch under Sidney Rose, who was transferred here from Omaha last week as exchange manager.

Butterfield Goes Duals In Grand Rapids House

Grand Rapids, Mich.—Butterfield's Majestic here has switched to duals as a permanent policy, with b.o. benefiting, according to Walter J. Norris, city manager.

Military Rites for Tinney

Military funeral was arranged Friday for Frank Tinney, 53, former musical comedy star, following his death in Veterans Hospital, Northport, L. I. Tinney was a QMC captain during the World War.

Army's Clearance System Will Stand

(Continued from Page 1)

lower admission prices would not be approved by the Film Division.

A spokesman pointed out that while the New York troops may have seen the films now being shown at the Alabama Post, in a month or two the films they receive will be new to them. It will just take a little time for the situation to adjust itself, it was said.

While the purpose of the Army's film service is to provide the soldiers with the best films as soon as possible, it has not and will not do anything to hurt the exhibitors in the nearby towns, it was stated.

Doubt that the price would be lowered to 10 cents, as desired by General Haskell, was expressed. The Army's standard price is 20 cents but by buying the tickets in books, it comes down to 14 cents. If it went lower than this, the exhibitors would probably have good cause to complain, one War Dept. official felt.

The current controversy arises just as the Army Motion Picture Service is preparing to celebrate its 20th year of operation, on Jan. 2. A spokesman for the service told THE FILM DAILY that the 20 years have been very successful, due to a great extent to the close co-operation that has always existed between it and the producers, distributors and exhibitors of the industry. This policy of complete co-operation will be continued, it was said, and nothing will be done to take business away from exhibitors or harm them in any way.

THE WEEK IN REVIEW

AAA Names Warburg

(Continued from Page 1)

spite the war, 488 having been seen by the board . . . Trial of LaCrosse anti-trust suit resumes Jan. 6, expectations of a settlement having faded . . . NBC expected to test theater television on 9 by 12-foot screen within the next four weeks . . . Louisiana's censorship law does a fadeout.

FOREIGN

CUBA: Cuban exhibs. asked island's president to revoke the anti-block-booking law, predicting dire results. Later developments called Cuba's law all a mistake, the island republic having thought passing of the Neely bill by the U. S. Senate made it a law.

BRITISH EMPIRE: Suggestion was made by Ernest Fredman, London film trade paper editor, that U.S. "frozen" coin in the U.K. be used to buy exhibition rights here to British pix . . . Industry in India seeks to have the duty on picture imports removed.

CHINESE PRODUCER EXHIBITS HERE

Joseph Sunn Opens 400-Seat Frisco "Show Window" for His Hong Kong Features

San Francisco—First instance of a Chinese producer invading the U. S. exhibition field is disclosed here with the opening of the Grandview in Chinatown. House is a 400-seater, owned and operated by Joseph Sunn, president of the Grandview Film Co. of Hong Kong, and will rate as a "show window" for the latter's product.

The Grandview Film Co. now produces 18 features a year, according to Sunn, and its product is distributed in the U. S., Cuba, Mexico, the Philippines, South Africa, Panama, Australia and Madagascar.

Six of the 18 annual productions are usually "supers" and 12 are "quicknesses." "Supers" are budgeted at between \$40,000 and \$60,000 and take from three to six months to produce. "Quicknesses" cost \$15,000 to \$20,000 and are rushed out in three weeks.

Film stars, of which the company

has 20, are paid salaries of from \$6,000 to \$36,000 a year, but average from \$7,500 to \$9,600 a year.

75% of Hong Kong Pix Imported from America

Hong Kong (By Air Mail)—Of the approximately 250 feature films required yearly to supply Hong Kong theaters about 75 per cent are imported from the United States. Remaining 25 per cent are Chinese films produced here or in Shanghai at an average cost of \$2,730. From January to September inclusive, of this year, 90 Chinese features were produced, 10 less than for the same period in 1939. It is estimated that 35 will be produced during the last quarter of 1940.

English is the predominant language in Hong Kong and it is immaterial whether U.S. pix are dubbed in Cantonese or are exhibited in the original versions.

DuMont Coast Tele Post Goes to Lewis Buddy

(Continued from Page 1)

uration of DuMont television programs on the Coast next Spring. Buddy will leave for his new assignment around the first of the year.

"Blue Laws" Commission Mets In Dover Tonight

Wilmington, Del.—The commission appointed by the 1939 legislature to study the Sunday blue laws has been called by the Rev. Ralph L. Minker, chairman, to meet at 8 p.m. tonight in Dover, to study the recent suggestions of Attorney-General James R. Morford and to begin the first steps toward drawing up recommendations to be presented to the General Assembly early in the 1941 session.

Hollywood National Will Produce Meller for Reid

West Coast Bureau of THE FILM DAILY

Hollywood—Roy Reid, mid-West distrib., with headquarters in Chicago, has closed a deal with H. J. Cook of Hollywood National Pictures to produce an action-melodrama with a Detroit locale. Screenplay by Alex Thurn-Taxis and Henry Gibson will be directed by the former.

John Loder Gets 20th-Fox Termer

West Coast Bureau of THE FILM DAILY

Hollywood—John Loder, who replaced George Sanders in "Unconquered" has been signed to a long-term 20th-Fox contract. Nancy Kelly replaces Evelyn Ankers in the feminine lead.

Watertown, Wis., Council Restricts Handbill Use

Watertown, Wis.—The Common Council here has amended its handbill ordinance to prohibit the distribution of circulars on sidewalks, streets or other public places and also prohibits the suspension of any commercial advertising material, pictures or pictorial matter over any street or streets in the city. The amended ordinance is expected to curb somewhat exploitation activities of the local theaters.

FCC Okays Modification Of Two Tele Stations

Washington Bureau of THE FILM DAILY

Washington—FCC Friday granted modification of a construction permit authorizing a new television station for WCAU Broadcasting Co., Philadelphia. The Commission approved the transmitter site and antenna and change in type of aural transmitter; location 117 S. 17th St.

NBC was also granted modification of its construction permit for a new tele station in Washington. Transmitter site at the Wardman Park Hotel was approved.

Fonda Replaces Tyrone Power

West Coast Bureau of THE FILM DAILY

Hollywood—Henry Fonda will play the lead in "The Great American Broadcast," 20th Century-Fox having withdrawn Tyrone Power from the part. Power's next picture will be "Blood and Sand."

RKO Sels Frisina Circuit

Product deal for RKO's 1940-41 program has been set with the Frisina Amusement Co., involving 30 theaters in Missouri and Illinois.

Dept. of Justice Ends Probe of Ascap

(Continued from Page 1)

a second action naming it as defendant.

A Department spokesman told THE FILM DAILY that the Division was not in a position to either categorically deny or affirm current reports that new litigation impended. It was pointed out that a civil suit has been pending in New York for five years.

The investigation just completed, it was said, resulted from recent complaints involving questions not in the original suit. Understood to be among them is the angle that Ascapi might constitute an illegal copyright pool.

Helen Twelveteens Sues Over "I'm Still Alive"

Helen Twelveteens on Friday filed suit in the New York Supreme Court against RKO Radio Pictures and asked the Court for \$100,000 damages and an injunction to restrain the exhibition of the film "I'm Still Alive" and the alleged use of her name in advertising the film. The film, based on the life of a star and her husband, a stunt man, depicts the plaintiff's life with certain libelous fictionalized exceptions, according to the complaint. RKO is also charged with using the plaintiff's name and picture in issuing releases to various newspapers.

Goldstein Buys Exchange

Seattle, Wash.—Al Goldstein has purchased the Premiere Exchange here.

Grant Mitchell in 'Tobacco Road'

West Coast Bureau of THE FILM DAILY
Hollywood—Grant Mitchell has been cast for the banker in 20th-Fox's "Tobacco Road."

CHRISTMAS SEALS



Help to Protect Your Home from Tuberculosis

SHORT SUBJECT REVIEWS

"The Constable"

Paramount 7 mins.
Amusing Cartoon
Gabby, the constable, meets up with the irate mayor of the town late at night and discovers one of hiszon-er's pigs has been lifted. Gabby sets out on the trail of the thieves in a pigskin makeup and rounds up the crooks with amusing results. Subject was produced by Max Fleischer.

"Congamania"

Universal 17 mins.
Good Musical Number
Eddie Durante and his band and a cast of top notch entertainers are presented in this musical. Nina Orla, Nick Lucas, Pepe Guizar and Peggy Carroll are among them. The music is hot and tuneful and subject as a whole is smooth and entertaining. Larry Ceballos directed.

"Torrid Tempos"

Universal 18 mins.
Fair Musical
Vivien Fay, ballerina, The Stapletons, tap dancers, Six Hits And A Miss, radio singers, Mary Lou Cook, singer, Jack Gwynne, a magician, and Matty Malneck and his orchestra are seen-and-heard in this two-reeler. Subject is fairly entertaining. Larry Ceballos directed.

Ludwig Reports at "U"

West Coast Bureau of THE FILM DAILY
Hollywood—Edward Ludwig has reported at the Universal lot to begin preparations for filming "The Man Who Lost Himself" which he will direct for Lawrence Fox's General Films for "U" release. Brian Aherne and Kay Francis will have the leads.

R. A. Rowland's Next

West Coast Bureau of THE FILM DAILY
Hollywood—Richard A. Rowland's next production following "Cheers for Miss Bishop," will be "Battle of Britain" scheduled for early production. It is the story of a British family in the present war.

Lupe, "Big Boy" In "U" Leads

West Coast Bureau of THE FILM DAILY
Hollywood—Lupe Velez and "Big Boy" Williams have been set by Universal for the leads in "Six Lessons From Madame La Zonga." Helen Parrish and Charles Lane have also been assigned important roles in the picture.

Henry Gibson, IP Adviser

West Coast Bureau of THE FILM DAILY
Hollywood—Henry Gibson, Midwestern exhibitor and exploiteer has joined forces at International Pictures in an advisory capacity. Gibson will also handle publicity for the unit.

Lionel Atwill as "Dr. R"

West Coast Bureau of THE FILM DAILY
Hollywood—Lionel Atwill has been signed by Universal for the title role in "The Mysterious Dr. R" which George Waggoner will direct.

"Popular Science"

Paramount 10 mins.
Interesting and Educational
A new sun-dial, telling standard time and adjustable to any location on earth; a new coat designed with multi-pockets for small boys; new kitchen gadgets, and a highly interesting sequence showing how phonograph records are made are presented in the subject. Professor Oakes, the wily wizard of Waukesha, also pops up with a new screwball invention.

"Wedding Bells"

Metro 10 mins.
Funny Comedy
Latest in the Pete Smith series, this one is up to par in every respect. It is an amusing subject and is laughably commented on by Smith. It deals with the pitfalls and expenses encountered by the prospective bridegroom, and winds up on a high note of comedy.

"Mommy Loves Puppy"

Paramount 7 mins.
Fair Cartoon
When a young St. Bernard pup starts out with his mother to make the rounds looking for anybody who might be lost, he is sent back to the dog's outpost. However, he ventures

out on his own and gets in a considerable amount of trouble before he is rescued by his mother and given a large dose of castor oil. A walrus that gets too much brandy will draw some laughs. Reel was produced by Max Fleischer.

"American Spoken Here"

Metro 10 mins.
Swell Short
Different and entertaining, this subject should hold the attention of audiences. It shows the origin of several common slang phrases and traces their development into commonly used expressions. The words "fink" and "brodie," and the expressions, "kick the bucket" and "mind your p's and q's" are traced. How the word fink developed as an expression of contempt to describe somebody who would turn on his friends is particularly absorbing.

"Beautiful Bali"

Metro 9 mins.
Interesting Travelogue
The Dutch East Indian island of Bali provides the subject matter for this interesting travelogue. Natural beauty of the island is enhanced by the use of Technicolor. Native temple dancers are seen, the shots chosen of pastoral and beach scenes are

intriguing, and the subject as a whole should interest all audiences. James A. FitzPatrick produced the short.

"Dreams"

Metro 10 mins.
Unusual and Interesting
The subject of dreams and their interpretation is treated in interesting fashion in this subject. Material should hold the attention of all audiences as everybody has had many types of dreams which may have seemed inexplicable, but still may have had a definite thought, premonition or reason behind them. A dream Abraham Lincoln had of impending death, which he wrote about in detail among his papers, winds the subject up after two more common types of dreams are dealt with.

"Kiddie Kure"

Metro 11 mins.
Amusing Comedy
The Our Gang kids inadvertently cure a hypochondriac of his ills in this comedy with amusing results. Thurston Hall portrays the ailing man and the usual crew make up the gang of kids. Hall is so busy trying to get the kids out of his house he discovers when all the excitement is over that all he needed to feel perfectly well was a little exercise.

Metro Buys Two Stories

West Coast Bureau of THE FILM DAILY
Hollywood—M.G.-M has bought screen rights to "The Gilded Lady" by Robert Andrews and Barry Trivers, and "Doctors on Horseback" by James Thomas Flexner. Joan Crawford will be starred in the former. Negotiations are reported under way for "The Uniform" by John Kafka and Melchior Lengyel.

WB British Film Completed

West Coast Bureau of THE FILM DAILY
Hollywood—Warner Bros. at the week-end received word that its English production, "An Empire is Built," starring John Gielgud and Diana Wynyard, has been completed at the company's Teddington studio. Will Fyffe, Fay Compton and Owen Nares are in the cast. Thorold Dickinson directed.

Pathe Lab. Offices Moved

West Coast Bureau of THE FILM DAILY
Hollywood—Pathe Laboratories, Inc., has moved its executive offices to 1131 N. Highland Ave. This move was made to give more working space to Pathe Laboratories on Santa Monica Boulevard.

Leads for "Sky Raiders"

West Coast Bureau of THE FILM DAILY
Hollywood—Donald Woods, Robert Armstrong, Billy Halop, Victor Jory and Kathryn Adams have been assigned the leading roles in "Sky Raiders," Universal's next serial.

Warners Purchases Original

West Coast Bureau of THE FILM DAILY
Hollywood—Warners have purchased "The Man They Couldn't Kill," an original story by Sidney Biddell and Frederick Frank.

MELODY RANCH
A REPUBLIC PICTURE
GENE AUTRY with
JIMMY DURANTE
ANN MILLER

"Don't have nothin' to do with that there woman, Gene! I know a city slicker even when she's a female."

and BARTON MACLANE • BARBARA ALLEN • HEKA VAGUE
GEORGE "GABBY" HAYES • JEROME COWAN • MARY AEE
JOSEPH SANLEY-DIRECTOR

RESERVE POWER

CAMERAMEN depend on the extra ability of each Eastman negative film to meet inevitable emergencies, and by so doing to help maintain exacting shooting schedules. This reserve power always has distinguished Eastman raw films. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*

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Chicago

Hollywood

PLUS-X

for general studio use

SUPER-XX

when little light is available

BACKGROUND-X

for backgrounds and general exterior work

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Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

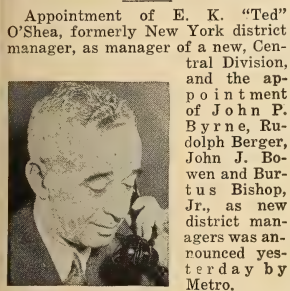
VOL. 78, NO. 108

NEW YORK, TUESDAY, DECEMBER 3, 1940

TEN CENTS

TO CIRCUMVENT DECREE BY LEGISLATION? Metro Creates New Sales Division, 4 Districts

"Ted" O'Shea Promoted to Central Division Manager As Rodgers Shifts Setup



WILLIAM F. RODGERS
Announcement of the establishment of the new sales division.
(Continued on Page 9)

Cuban Exhib. Counsel To Fight for Decree

Havana (By Air Mail)—Negotiations for the modification or revocation of the anti-book-booking measure here were seriously upset at the week-end when Dr. Felipe Trinchet, counsel for the Association of Exhibitors, of Cuba and author of the
(Continued on Page 12)

Northwest Allied Protests Week's Clearance Moveup

Minneapolis—Action of local exchanges in moving up clearance between 20-cent and 25-cent houses
(Continued on Page 9)

Dual World Premiere Is Set in Denver

Denver—Orpheum is claiming a double world premiere for its double bill tomorrow. Program embraces RKO's "Little Men" and Metro's "Dr. Kildare's Crisis." George Bancroft, Michele Morgan and Sigma Hasso are due here for p.a.s. at the opening of "Little Men."

NAME ARBITRATION BUDGETEERS

P. M. Haight to be Administrator; Joseph H. Hazen, Warners Vice Prexy, Represents "Big Five"

Budget committee, provision for which is made in the film arbitration system, will comprise P. M. Haight, secretary-treasurer of the International General Electric Co., as Administrator; Joseph H. Hazen, Warners vice-prexy, and former Judge Van Vechten Veeder, chairman of the Arbitration Appeals Board.

Appointments, together with that of Lucius R. Eastman, chairman of

the board of the American Arbitration Association, as alternate to Haight, were announced yesterday by C. V. Whitney, AAA prexy. Hazen represents the "Big Five" on the committee; designation of former Judge Veeder was automatic. Committee's chairman is yet to be named.

Principal task of the committee will be to determine the percentage

(Continued on Page 9)

Para.'s English Biz 10% Ahead, Says Rose

Paramount's volume of business in England is running approximately 10 per cent ahead of last year despite constant air raids, according to David Rose, Paramount's managing director in London, who arrived last week-end from Europe. While theater business in the London area
(Continued on Page 9)

Hollywood Sends Seven More Before Cameras

West Coast Bureau of THE FILM DAILY
Hollywood—Seven pictures are scheduled to go into production this week. The lineup:

At M-G-M: "Mr. Co-Ed" co-star
(Continued on Page 10)

Allied Co-ops on Arbitration Myers, Newbury in Pledges of Support

Warburg's Committee Will Meet Tomorrow

First meeting of the Administrative Committee for the film industry's arbitration system, headed by Paul Felix Warburg, will be held tomorrow at the AAA headquarters. It was learned yesterday.

At the same time, it was disclosed
(Continued on Page 9)

Recommends Ending B & K Contempt Case

Chicago—Special Master Edeard Eldredge in a report made yesterday to Federal Judge Charles E. Woodward recommends that the charges of criminal contempt against Barney Balaban, M & K Management Corp., Paramount Loew's, RKO, 20th Century-Fox, United Artists, Warner
(Continued on Page 4)

Chi. Censors Decline To Look at Nudist Pix

Chicago—Lieut. Harry Costello, police censor, reports only 14 cuts in films passed by the Board during November. There were no rejections, but the Board refused to consider four nudist films.

Northwest Allied Ponders Move for State Statute To Nullify Some Clauses

Minneapolis—Northwest Allied may be the first exhibitor organization to seek to circumvent disliked provisions of the consent decree in the New York equity suit via state legislation.

The consent decree, it was pointed out here yesterday, recognizes the possibility that there may be recourse to legislation, either state or Federal, with the second paragraph of Section (e) of Clause 23. This reads:

"Whenever obligations or prohibitions are imposed upon the defendants by the laws of any state or by rules or regulations made pursuant thereto, with which the defend-

(Continued on Page 10)

Wehrenberg Talking St. Louis Trust Suit

St. Louis—Possibility that an anti-trust suit will be filed against the major distributors and Fanchon & Marco loomed yesterday as the clearance controversy between independent exhibitors and the F & M interests reached the stage where Fred Wehrenberg, exhibitor leader,
(Continued on Page 12)

Carolina Exhibs. Deplore Gov't's Consent Decree

Charlotte, N. C.—At the annual meeting of the Theater Owners of North and South Carolina held here
(Continued on Page 9)

GWTW New Year's Prices Announced

Chicago—Minimum admission prices for "Gone With the Wind" on New Year's will be 40 cents at matinee and 50 cents at night, following the general release of the picture, it was stated at the meeting here of M-G-M execs. Theater terms were not given out, but it had been previously reported that GWTW would be offered at 50-50 in place of the 70-30 prevailing for the roadshow release.

Allied States is ready "to assist in any way possible" in facilitating the organization of the arbitration machinery under the consent decree. Abram F. Myers, general counsel, has informed Paul Felix Warburg, chairman of the administration committee named by the AAA.

Myers emphasizes, however, that such assurances of co-operation by
(Continued on Page 4)

THE FILM DAILY

Vol. 78, No. 108 Tues., Dec. 3, 1940 10 Cents

JOHN W. ALICOTTE : : : : Publisher

DONALD M. MERSEREAU : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Monday, Dec. 2)

NEW YORK STOCK MARKET

Am. Seat.	High	Low	Close	Chg.
Int. Pict. vcs. (216)	9 1/2	9 1/2	9 1/2	+ 3/8
Columbia Pict. pfd.	5 1/2	5 1/2	5 1/2	+ 1/8
Con. Fm. Ind. pfd.	9 1/2	9 1/2	9 1/2	+ 1/8
Con. Fm. Ind. pfd.	8 3/4	8 3/4	8 3/4	+ 1/8
East. Kodak	144 1/2	143 1/2	143 1/2	+ 1/2
do pfd.				
Gen. Th. Eq.	11 1/2	10 3/4	11 1/2	+ 1/8
Loew's, Inc.	31 1/4	30 3/4	31	+ 1/8
do pfd.				
Paramount	9 7/8	9 3/4	9 7/8	+ 1/8
Para. 1st pfd.	98 3/4	98 1/4	98 1/4	+ 1/4
2nd pfd.	10 1/2	10 1/2	10 1/2	+ 1/8
Pathe Film	10 1/2	10 1/2	10 1/2	+ 1/8
RKO	2 3/4	2 3/4	2 3/4	+ 1/8
20th Century-Fox	6	6	6	+ 1/8
20th Century-Fox pfd.	16 1/4	16 1/4	16 1/4	+ 1/8
Univ. Pict. pfd.	99	99	99	+ 1/8
Warner Bros.	3 3/4	3 1/4	3 3/4	+ 1/8
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6546	
Loew's deb. 3 1/2 46	
Para. B'way 3555	
Para. Picts. 6555	
Para. Picts. cv. 3 1/4 47 95	1/4
Warner Bros. deb. 6488 92	91 1/4
Monogram Picts.	
Sonotone Corp.	1 3/4
Technicolor	1 3/4
Trans-Lux	1 1/2
Universal Corp. vtc.	1 1/2
Universal Picts.	1 1/2
N. Y. OVER-THE-COUNTER SECURITIES	
Met. Playhouse, Inc. 2nd deb. '45	65 1/2
Roxy Thea. Bldg. 45 1st '57	62
INSID E	

"Philadelphia Story" Into Music Hall Dec. 26

Metro's film version of "The Philadelphia Story" will open at the Radio City Music Hall on Dec. 26.

Thomas Brennan Dead

Hartford, Conn.—Thomas L. Brennan, 41, electrician at the Strand Theater here, died at St. Francis' Hospital after a short illness.

Chicago Civic Groups Split Over Censorship

Chicago—Split in the ranks of civic groups here on the question of municipal film censorship has developed. Mrs. Richard McClure, president of the Better Films Council, has declared herself as opposed to any drastic changes in the present Chicago censorship setup, although favoring more elastic decisions in the instance of films of social significance.

Mrs. Frank A. Damm, of the P-T A, however, has declared against a politically appointed censor board and announces the association shortly will hold meetings to act.

Other executives of leading women's organizations here are in favor of a board of film censors, under civil service as now constituted, rather than a political appointed board, but all were of the opinion that censorship of some kind is needed.

Funeral Rites Today For Charles Richman

Funeral services for Charles Richman, 70, stage and screen actor and once famed Broadway leading man, will be held at 2 p.m. today in the Walter B. Cooke Parlors 117 W. 72nd St. Richman died Sunday of heart disease.

The actor leaves a widow, who was Jane Grey at their marriage 40 years ago; a son, Grey Duval Richman of Forest Hills, Queens, and a daughter, Jane Grey Richman of Hollywood.

UA Shifts Earl Collins To Branch Managership

Denver—Earl Collins, United Artists manager here, has been transferred to Los Angeles where he will be branch manager. Al Hoffman, UA salesman here, has been named Denver manager. Hoffman was manager of the Denver branch prior to Collins.

NW Allied Against Higher Prices for Specific Films

Minneapolis—Northwest Allied has gone on record as opposed to advanced admissions for specific pix. Opposition is largely based on past experiences.

Unit also wants Columbia's "Arizona" on the 1939-40 contract.

K-A-O Paying Dividends For Two 1938 Quarters

K-A-O Board of Directors declared a dividend out of operating surpluses, of \$3.50 per share on the 7 per cent Cumulative Convertible Preferred Stock for the quarters ended June 30 and Sept. 30, 1938, payable on Dec. 19, 1940, to the holders of record at the close of business on Dec. 13.

More First-Runs Going To Palace and Albee

Three first-run pictures have been set for the usually subsequent-run Palace and Albee Theaters on Broadway and in Brooklyn, respectively. "The Bank Dick" (Universal) and "Murder Over New York" open at the Albee tomorrow. "Lady With Red Hair" (Warners) will be premiered at the Palace on Thursday, to be co-featured with "You'll Find Out."

Warners "Dispatch from Reuters" goes into the Palace on the 19th for a first-run. This was previously indicated in THE FILM DAILY.

Some Circuit Operators Protesting Sunday Legit.

Some Broadway circuit theater operators and film distributors are reported to have protested against the inauguration of Sunday legitimate shows on the grounds that they will eventually hurt picture trade.

On the other hand, Harry Brandt, of the Brandt Circuit, believes that the Sunday legit policy will be of benefit to motion picture theaters. Brandt said yesterday that the new plan had helped his Broadway weekend business in that it had made Broadway more of a week-end resort than before.

Joseph P. Kennedy Quits As Ambassador to Britain

Washington Bureau of THE FILM DAILY—Washington—Joseph P. Kennedy, whose resignation as Ambassador to the Court of St. James, was submitted to the President Nov. 6, will continue to serve until his successor is designated. This is expected shortly. Kennedy, former film exec., resigned to "help the President keep the U. S. out of war."

Crosby-Martin to Co-star In Irving Berlin Musical

West Coast Bureau of THE FILM DAILY—Hollywood—Para. will co-star Bing Crosby and Mary Martin in "Birth of the Blues" Irving Berlin musical for which Mark Sandrich and Berlin will be co-producers. Sandrich will direct.

Ill. Allied Frowns on Free Shows of Commercial Films

Chicago—Illinois Allied will fight free exhibition of Chesterfield's commercials "Tobaccoland. U.S.A." and "Pleasure Time," locally in opposition to regular theater programs, it is stated by Prexy Jack Kirsch.

Conrad In McCarey Cast

West Coast Bureau of THE FILM DAILY—Hollywood—Eddie Conrad, character actor, was signed for "Murder Among Friends," Ray McCarey picture for 20th Century-Fox. Billy Mann of the Lou Irwin Agency fixed the deal.

COMING and GOING

F. J. A. McCarthy has returned from a trip to "U. S." Cleveland and Boston exchanges.

JAMES R. GRAINGER, Republic's prexy, left the home office yesterday for Gloversville, N. Y., where he will spend today and tomorrow, returning to New York on Thursday.

W. J. HINMAN has returned from Denver.

HENRY KING has arrived here from the Coast on a combined week's business trip and vacation.

GENE RAYMOND expects to return to Hollywood next week.

JOSEPH LAMM, Monogram comptroller, has arrived on the Coast from a New York vacation.

GEORGE ROBERTS, WILLIAM SUSSMAN and M. A. LEVY will attend Wednesday's Cincinnati meeting relative to winding up 20th-Fox's Sidney R. Kent drive.

GRACE and PAUL HARTMAN, dancers, leave Thursday for RKO's Coast studios to appear in the musical film, "Sunny."

J. NOBLE BRADEN, exec. sec'y of the AAA, will be in Omaha on Thursday to set up a film arbitration office.

H. A. DeVry has returned to Chicago from New York. WILL DeVry, sales director, has returned there from Washington.

LEE TRACY and the members of stage play cast, "Every Man for Himself," left San Francisco yesterday for New York, arriving here Friday. Play opens at the Guild Theater next Monday.

ROUBEN AMOULIAN has returned to the 20th-Fox studios from a Honolulu vacation.

MRS. RALPH I. ZACKIM, formerly Florence Steinberg of RKO, has returned from a honeymoon trip of two weeks to Virginia Beach and other places in the South.

A. A. SCHUBART, manager of exchange operations for RKO Radio Pictures, is in Philadelphia for a few days on a business trip.

S. DeGENARO, of Esperia Films, is visiting New Haven and the Connecticut territory.

NWMP, 'Christmas in July' As Dual in B & K Houses

Chicago—B & K is dualling NWMP with "Christmas in July" first-run at the Uptown, Tivoli and Marbro theaters. There's no price advance.

Schenck Trial in February

Trial of the Government's action against Joseph M. Schenck will not be reached until February, the U. S. District Attorney's office stated yesterday. Some sources revealed that the George Skouras trial is slated to follow closely after the completion of the Schenck matter. Federal Judge William Bondy yesterday adjourned the Schenck case until Dec. 9.

"Happy Birthday to You"



From THE FILM DAILY to Monty Collins Hollis Kennahan Marion Shilling Lucile Engel Basil Smith



Watch!

SANTA FE JUBILEE

**NEXT WEEK
AT SANTA FE!**

A 5-Day Fiesta to bring joy to the hearts of showmen everywhere! Colossal conclave of stars, civic officials, the Governors of practically every State in the West, and a series of news-making surprises to be read and heard through the land!

It's all on account of the 75th Santa Fe Jubilee and the

**FIRST OPENING
OF WARNERS'**

"Santa Fe Trail"

Their biggest!

ERROL FLYNN
and **OLIVIA**

DeHAVILLAND

"SANTA FE TRAIL"
with
RONALD
MASSEY • REAGAN • HALE

RAYMOND
Van Hellen • Gene Reynolds • Henry O'Neill
William Lundigan • Glenn "Big Boy" Williams
Directed by **MICHAEL CURTIZ**

Original Screen Play by Robert Buckner • Music by Max Steiner



Allied Will Co-op On Arbitration

(Continued from Page 1)

no means "imply approval of all the provisions of the decree."

A similar offer has come from Lee Newbury, president of the Allied Theater Owners of New Jersey, who wired his organization's "support and co-operation."

Warburg, commenting, said yesterday that "they came as extremely good news to the Administrative Committee which is now completing its plans for organizing the tribunals."

"Such evidences of co-operation on the part of major exhibitor groups will go a long way in expediting the organizational work of the arbitration system," Warburg continued.

"We feel confident that the industry in general and the theater owners in particular will find arbitration a quick, efficient and inexpensive medium for settling practically every kind of motion picture trade dispute."

Max Block Dies In Fla.

Thompsonville, Conn.—Max Block, 47, former manager of the Old Majestic Theater here, died suddenly in Jacksonville, Fla., while on a business trip.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY
Hollywood — Chester Morris and Mrs. Lillian Barker were married here over the week-end.

Cleveland—Julius Lamm, manager of Warners' Uptown Theater, and Mrs. Lamm announce the engagement of their daughter, Theresa Frances, to Richard J. Bandler.

Scranton, Pa. — Mary Louise Mahan of the Comerford booking office married Thomas J. Regan.

Pottsville, Pa. — J. Lalor Joyce, manager of the Hippodrome Theater, here, married Miss Esther C. Rosar in Scranton.

Pittston, Pa.—Joe Wachs, maintenance man, American and Roman Theaters here, married Louise Tate.

Scranton, Pa.—Marriage of Billy Warner, projectionist of the Comerford screening room, to Clare Agnes Rafter is announced.

Pittston, Pa.—Celia Wachs, relief cashier, American and Roman Theaters here, married Raymond DeLaney, Jr., in St. Mary's Assumption Church.

Chicago—Film Row girls tendered a luncheon Saturday to Emma Abplanalp, formerly secretary of the Film Board of Review, at the Jacques Restaurant, in honor of her engagement to R. L. Lipscomb of Rochester, N. Y.



● ● ● LOEW'S Oscar A. Doob, Ernie Emerling and Anna Ellmer are currently having a perfectly "ripping" time which should serve them in good stead a bit later this month when it comes to opening Xmas presents Just now, the trio's ripping open thousands of letters which are paradoxically high on the Loew desks Missives have resulted from the Doob decision to put two li'l characters (a boy and a girl) in the margin of the Loew Movie Guide newspaper ads and then asking the public to christen said characters As an incentive, an award of ten bucks for the best names was posted Nobody had any idea when the contest was hatched that the widgets had made such a hit with readers Plans are now to have the characters gradually develop a romance a proposal a marriage and a family and if they get any more popular Hollywood might get 'em There's one thing they've already achieved for Loew's and that is resounding proof that John Q. Public reads ads and, particularly, good and human ones

● ● ● THIS corner has received a letter from New York's Postmaster Albert Goldman asking that all we movie industry folks do Xmas shopping early and mail gifts early If any industry should do just that well, filmland should Isn't one of our boys the Postmaster General? And shouldn't we give him every co-operation? You bet! and especially since he's announced from Washington that there will be no city, village or rural carrier deliveries or window service at post offices on Christmas Day

● ● ● WARNERS' home office theater department and zone managers will tender a dinner tonight in the swank Waldorf-Astoria to Joseph Bernhard, prexy and general manager of Warner Theaters to celebrate his 10th Anniversary with the circuit Our town's institutional hostility was doubtless chosen so that Joe would get top service for top service which he has given in lavish amount during an entire decade

● ● ● STUFF: Joe (Youngstown, O.) Trunk, owner of the uptown, Mahoning and Cameo Theaters, and Mrs. Trunk are at the Waldorf-Astoria celebrating their 25th wedding anniversary in a style which, he says, he couldn't afford 25 years ago I. J. Schmetz, chairman of the Motion Picture and Radio division of the Cleveland Community Fund, at a final fund meeting announced that his group this year not only went over its quota, but exceeded quota by a greater sum than ever before Sam Germaine, booking manager for 20th-Fox up New Haven way, celebrates his 25th wedding anniversary on Saturday next Clarence M. Shapiro, Metro talent scout, has been named a judge of the Navy ball whereat a queen will be selected from the Northwestern Univ. gals, while Wayne King, ork leader, will appropriately assist in the job Ralph "Buzz" Boyle, Kansas City Club's outfielder, and formerly with the Brooklyn Dodgers, is working as checker at the Metro exchange in Cincy during the lay-off season Thomas J. (Providence, R. I.) Meehan, prominent in New England theatrical circles via his holding of managerial posts for the Poli, Fox-Poli and RKO circuits, will be executive secretary to R. I.'s Governor-elect J. Howard McGrath when latter takes office on Jan. 2 From New Orleans: J. W. (Pete) Dailey, recently pic editor for the Item there, and for more than a decade with the Chicago Herald-Examiner, leaves shortly to join the Columbia press agent corps in Hollywood

DATE BOOK

Tonight: Steve Brody farewell, Hotel Statler.
Dec. 8: Bill Robinson testimonial dinner, Mecca Temple.
Dec. 9: Warner Bros. stockholders' meeting, Wilmington, Del.
Dec. 9: South Dakota Exhibitors Association convention, Carpenter Hotel.
Dec. 12: Philly Variety Club dinner, the Bellevue-Stratford.
Dec. 13: B & K Employees' Association dinner, dance, Stevens Hotel.
Dec. 14: Cleveland Variety Club dinner dance, Hollenden Hotel.
Dec. 16: Theater Owners of Oklahoma convention, Skirvin Hotel, Oklahoma City.
Dec. 17: Kansas-Missouri Theaters Association convention, Topeka, Kans.
Dec. 20: Actors' Equity quarterly meeting.
Dec. 20: Cincinnati Metro Pep Club Christmas party.
Dec. 31: The Lambs Gambol, Waldorf-Astoria.
Jan. 25: Actors' Fund of America annual benefit, Winter Garden.
Feb. 2-3: Virginia MPTO Winter convention, Shoreham Hotel, Washington.
May 5-8: SMPE Spring convention, Sagamore Hotel, Rochester.

Recommends Ending B & K Contempt Case

(Continued from Page 1)

Bros. and Universal be dropped. His report found the defendants not guilty of a violation of the Sherman Act.

The firms were charged in a criminal contempt complaint issued in 1938 with violating a consent decree signed with the Government in 1932, agreeing to end certain practices of booking first-run pictures to selected houses in the area. The decree itself ended litigation begun by the Government in 1928. Judge Woodward appointed Eldredge a Special Master in the case two years ago and extensive testimony had been taken.

A criminal contempt action brought by the Government in Los Angeles against Fox West Coast and the majors was disposed of last week.

Weeks Completes Western

"Trail of the Silver Spurs," fourth in the Range Busters series produced by George W. Weeks for release through Monogram exchanges, has been completed and will be nationally released January 4.

STORKS!

Chicago—Samuel Roberts, of the White Villa Theater circuit, announces the birth of a son, weighing 10½ pounds, at the Grant Hospital.

Indiana, Pa.—Mr. and Mrs. Peter Manos are the parents of an eight pound baby boy, their first, born at the Indiana Hospital. Father is manager of the Ritz and Indiana Theaters here.

MAMMOTH
"ARIZONA"
LEADS
THE
PARADE
OF
COLUMBIA
HITS!



MIGHTY ACTION DRAMA
... TENSE, FAST AND
SUSPENSE - PACKED!



THE STAR OF
"NO TIME FOR
COMEDY"



AND
THE MAN WHO
"STAYED FOR
BREAKFAST"



TOGETHER FOR THE FIRST TIME!

A GREAT "HEART" DRAMA
STARRING THE "AWFUL
TRUTH" COMBINATION!



PAT O'BRIEN **AND** **CONSTANCE BENNETT**

Escape to Glory

with **JOHN HALLIDAY • MELVILLE COOPER • ALAN BAXTER**

Screen play by P. J. Wolfson • Directed by **JOHN BRAHM** Produced by Samuel Bischoff

ROSALIND RUSSELL **AND** **MELVYN DOUGLAS**

This Thing Called Love

with **BINNIE BARNES • ALLYN JOSLYN • GLORIA DICKSON • LEE J. COBB • GLORIA HOLDEN**

Based upon the play by Edwin Burke, as produced by Patterson McNutt • Screen play by George Seaton,

Ken Englund, P. J. Wolfson • Directed by **ALEXANDER HALL** • Produced by William Perlberg

IRENE DUNNE **AND** **CARY GRANT**

Penny Serenade

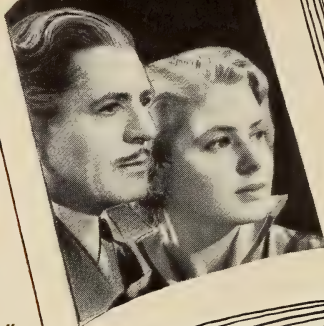
PRODUCED AND DIRECTED BY **GEORGE STEVENS**

Based on the McCall's Magazine serial novel by Martha Cheavens • Screen play by **MORRIE RYAN**



Legacy

Based upon the best-selling novel by
CHARLES BONNER • Directed by Gregory Ratoff
A ROBERT SHERWOOD PRODUCTION



From the stirring
pages of an im-
portant novel...
the saga of a fas-
cinating family's
loves and feuds
and valiant des-
tiny!

Gloriously Gay Comedy

FROM THE GREATEST COMEDY STUDIO OF THEM ALL!

FRANCHOT
TONE



JOAN
BENNETT



Cosmopolitan



"A Girl's Best Friend Is Wall Street"

Based upon the Cosmopolitan Magazine story by Jane Allen
Directed by RICHARD WALLACE • Produced by CHARLES R. ROGERS

MILLIONS OF
RADIO AND BOOK
FANS WILL BE
OVERJOYED TO
LEARN THAT
ELLERY QUEEN'S
NOW ON
THE SCREEN!

RALPH BELLAMY *as* ELLERY QUEEN
with
MARGARET LINDSAY *as* NIKKI PORTER

Ellery Queen
MASTER DETECTIVE

with
Charley Grapewin

James Burke • Michael Whalen

Screen play by Eric Taylor • Story by ELLERY QUEEN

Directed by Kurt Neumann



First of a
noteworthy



Name Budgeleers On Arbitration

(Continued from Page 1)

of gross income each of the "Big Five" will pay towards maintaining the arbitration system.

Under the decree the budget for the arbitration system will be made up of a fund established through filing fees, penalties imposed by arbitrators on distributors, and "by such additional amounts to be paid by distributor defendants as may be determined by the budget committee."

The yardstick for apportioning the cost of the "Big Five" will be their gross receipts from August, 1939, to August, 1940. The budget for the first year's operation has been set by the court and department of Justice at a maximum of \$490,000. Second year's cost is scheduled in the decree at \$465,000.

Decree also provides that "for good cause shown" the Court may increase the arbitration budget to an amount not exceeding \$50,000.

Warburg's Committee Will Meet Tomorrow

(Continued from Page 1)

that an eighth man has been named to the committee by the AAA. He is Samuel D. Leidesdorf, CPA, treasurer of the Merchants Association of New York.

At tomorrow's meeting, attention will largely center on the preparation of complaint forms to be used by exhibitors should they desire to invoke the arbitration provisions of the decree.

Northwest Allied Protests Week's Clearance Moveup

(Continued from Page 1)

from two to three weeks is being protested by Northwest Allied.

Distributors, at the unit's request, have suspended the effective date of the move up for 30 days, and meanwhile Northwest Allied's committee will discuss all clearance in the Twin City area with the film companies.

30 In Chi. Using Screeno

Chicago—More than 30 theaters are now reported using Screeno, in the Chicago territory.

Flynn to Make P. A. For Yuletide Charity

West Coast Bur., THE FILM DAILY

Hollywood—Errol Flynn will plane out Thursday night, following his guest spot on the Kraft Music Hall airshow, for Cleveland, O. He will be solo guest star from Hollywood at the annual Christmas charity show sponsored by the Cleveland Press for the orphans of that city. Flynn will plane back in time to entrain with the Hollywood contingent for Santa Fe, N. M., on Dec. 12 where the world premiere of Warner's "Santa Fe Trail" will be held Dec. 13-14-15.

O'Shea Heads New Metro Div. Rodgers Appoints Four New District Mgrs.

(Continued from Page 1)

ion and four new sales district, effective on Jan. 1 or as soon thereafter as practicable, followed a meeting of the company sales execs. at the Blackstone Hotel in Chicago.

O'Shea's territory will include Pittsburgh, Buffalo, Cleveland, Cincinnati, Detroit, Indianapolis, St. Louis, Kansas City, Oklahoma City and Memphis.

Thomas Connors will supervise the Eastern territory and Edward M. Saunders the Western territory.

Additionally, two branch managers have been promoted to larger offices and four salesmen become branch managers. Thomas J. Donaldson, formerly New Haven branch manager, succeeds Byrne as Boston branch manager. Ralph Pielow is transferred from the branch managership at Albany to a similar position in New York, succeeding Bowen. John S. Allen, formerly a Cincinnati salesman, is the new Washington branch manager, succeeding Berger. Bryan D. Stoner, formerly a Cleveland salesman, succeeds Bishop as Pittsburgh branch manager. Maurice Goldstein, formerly a Boston salesman, is the new New Haven branch manager. Herman Rippes, formerly New York-New Jersey salesman, goes to Albany as branch manager.

Promoted from the Ranks

The promotions, every one of which advances men from within the ranks of the organization, were announced by William F. Rodgers, Metro's general sales manager. The shifts are all part of M-G-M's desire to strengthen its service to its customers and to permit more thorough concentration on the needs of all. Division of the territories will make possible closer supervision and

analysis of each branch office's problems in the coming year, it was pointed out.

Metro thus is the second company to act in the wake of the consent decree. Warners recently announced important changes in its sales setup.

Promotion of four salesmen to the positions of branch managers naturally creates vacancies in the sales staff which it is anticipated will be filled by further promotions from within the ranks. Still further vacancies also call for advancement of available personnel within the organization.

The New Alignment

Following is the new alignment: Among home office sales managers, Thomas J. Connors will supervise the districts headed by Maurice N. Wolf, Bowen, Berger, Charles E. Kessnich, the Philadelphia office headed by Robert Lynch, and Canadian offices; Edward M. Saunders will supervise the districts headed by John E. Flynn, Byrne and George A. Hickey; and O'Shea will supervise the districts headed by Harris P. Wolfberg, John J. Maloney and Bishop.

Among district managers, Wolf will supervise the Boston, New Haven and Albany offices; Berger, the Washington and Charlotte offices; Bowen, New York and New Jersey; Maloney, Buffalo, Cleveland, Detroit and Pittsburgh; Wolfberg, St. Louis, Cincinnati and Indianapolis; Bishop, Kansas City, Memphis and Oklahoma City; Kessnich, Atlanta, Dallas and New Orleans; Byrne, Des Moines, Omaha, Denver and Salt Lake City; Flynn, Milwaukee, Chicago and Minneapolis; and Hickey, Los Angeles, Seattle, Portland and San Francisco.

Carolina Exhibs. Deplore Gov't's Consent Decree

(Continued from Page 1)

yesterday, a resolution was adopted expressing regret that the Government has adopted "a regulating decree that is looked upon with much disfavor by exhibitors generally and which will work an undue hardship upon theaters."

C. H. Arrington of Rocky Mount was elected president, succeeding H. R. Berry of Hartsville who was made first vice-president; Ray Rowe of Burgaw was elected second vice-president; and Mrs. Pauline Griffith was renamed secretary-treasurer.

Nominated For CEA Presidency

London (By Air Mail)—Members of the Birmingham and Midlands branch of the CEA voted unanimously at its monthly meeting to nominate S. K. Lewis, CEA vice-president, for the presidency of the national organization next March.

Mich. Exhibs. Would Keep Army Clearance System

Detroit—Michigan exhibitors appear to be lining up against the demands of Army camp theaters for priority of run over local houses. With Camp Custer, slated to house 20,000 men, located between Battle Creek and Kalamazoo, exhibitors in that territory would be seriously hit by such run privileges.

Butterfield Circuit has planned construction of a new theater at Battle Creek to meet needs of the Army men, but business at the circuit's existing houses there would apparently be jeopardized by granting prior first-runs to the camp a few miles away.

Roberts and Wife Hurt

Scranton, Pa.—John Roberts, Comerford Theaters' film booker and his wife are recuperating from injuries suffered in an auto accident while en route home from the Penn-Cornell game.

Para.'s English Biz 10% Ahead, Says Rose

(Continued from Page 1)

is only about 25 per cent of normal, patronage in the provinces is good, Rose said.

Approximately 1,600 theaters in the London area are operating and about 200 are closed for various causes, Rose said yesterday. Admission prices have been raised only slightly to offset the additional taxes, but this does not affect business as the English people are hungry for screen entertainment and they keep the theaters well filled.

Under terrific hardships and many delays, Paramount's production unit has completed "Quiet Wedding" and is now preparing to make "Hatter's Castle" at the Denham studios. In addition, plans are under way to produce an untitled story with Clive Brook. Difficulties in casting pictures offer one of the biggest obstacles in production, Rose said. Efforts were being made so that at least three or four pictures would be made this season. All companies, he said, were doing their best to fulfill their quota requirements.

As to monetary remittances to the U. S., Rose said that authorities were ironing out the previously reported plan whereby the figure would be between \$12,000,000 and \$13,000,000 based on this year's operations. The deal is being discussed with eight companies, instead of seven as heretofore as a separate arrangement had been made with Universal. Paramount is paying its mortgage debentures on theater property with blocked money, Rose said.

Rose leaves today for the Coast by plane and plans to return to England in January.

Sugarman Hurt In Crash

Cincinnati—Al Sugarman of RKO suffered torn ligaments in his arm, when a truck collided with his car.



N. W. Allied Ponders Decree Circumvention

(Continued from Page 1)

dants by law must comply, the Court, upon application of the defendants, to any of them, shall from time to time enter orders relieving the defendants from compliance with any requirements of this decree in conflict with such laws, rules or regulations, and the right of the defendants to make such applications and to obtain such relief is expressly granted."

Louis Schwartz, counsel who represented Northwest Allied at the open decree hearings, has recommended to the unit that state legislation be worked out and introduced at the coming session of the legislature. The legislation would be designed to protect independent exhibitor interests and nullify as much as possible the alleged adverse effects of the decree. A committee has been appointed to confer with Schwartz and discuss further details.

It is believed by some here that if a law can be passed, clauses of the decree can be nullified.

South Jersey Allied Unit Names Committees

Philadelphia—More than 40 theaters in the South Jersey area were represented at the meeting of the South Jersey unit of Allied Theater Owners of New Jersey at the Broadwood here yesterday. Committees appointed included:

Entertainment—John Harwah, Mt. Ephraim; Mrs. Frances Fineman, Haddonfield; Mrs. Ros. Picione, Landisville, and Murray Sternberg, Woodstown. Film committee—Ralph Wilkin, Pitman; H. A. Hill, Paulsboro; Clark Hildinger, Trenton. Legislative committee—Si Myers, Trenton; Jack Waxmann, Atlantic City; Mrs. Hildinger, Trenton.

Meeting heard a report on national and state Allied activity by E. Thornton Kelly, field representative. The session, first since the recent organization, was enthusiastic, with a large turnout, and the organization is beginning to function. Next meeting will be held Jan. 6.

"Hands Across the Border"

West Coast Bureau of THE FILM DAILY

Hollywood—Returning the compliments accorded him by governments of the Pan American nations when he toured Latin America last Summer, Erol Flynn will play host at a luncheon today at Warners' studio for Los Angeles consuls of these 20 countries.

Memo by Wire

All members of Warners' sales force received telegrams from the home office yesterday. Wires advised that in just 20 more days the Stars Anniversary drive would be under way.

HORROR PAYS IN MICHIGAN

Horrible Combinations Click in Detroit and Uptate

Detroit—Horror is paying big dividends currently. Monogram's combination of "The Ape" and "The Human Monster" is starting into its fourth week at the Cinema, first-run house.

United Film Exchange is booking "The Race in the Window" and "The Lovers Murder Mystery," and has had to order a third set of prints to fill bookings. This bill has been sold to downtown theaters and to Co-operative Theaters of Michigan.

"The Mummy's Hand" and "The Human Monster" have been booked as still another combination by Associated Theaters at their Wyandotte, Mich. house.

Hollywood Sends Seven More Before Cameras

(Continued from Page 1)

ring William Powell and Myrna Loy. At Republic: "Arkansas Judge" with Weaver Bros. and Elvira.

At Universal: "Six Lessons From Madame Lazonga" with Lupe Velez, Leon Errol, Helen Parrish, Charles Lang, Gunn "Big Boy" Williams, Eddie Quilian, Shemp Howard and Frank Mitchell; "The Mysterious Doctor R" with Lionel Atwill, Lon Chaney, Jr., Frank Albertson and Anne Nagel.

At Warners: "She Stayed Kissed" with Dennis Morgan and Jane Wyatt. Howard Hughes' production "The Outlaw" featuring Jack Beutel and Jane Russell with Thomas Mitchell and Walter Huston for 20th Century-Fox release.

E. B. Derr's production for Producers Releasing Corporation "Secret Evidence" with Charles Quigley and Marjorie Reynolds.

West Coast Bureau of THE FILM DAILY

Hollywood—Warners enter the month of December with production in full swing. Eight pictures are now in production with five more set to go during the month.

Lineup has 14 of the studio's 18 stars before the camera and every one of the studio's 13 directors working or preparing.

West Coast Bureau of THE FILM DAILY

Hollywood—With six major productions currently before the cameras, 20th Century-Fox Studio reports production at the highest level in many months.

Negotiating With Miss Bergner

West Coast Bureau of THE FILM DAILY

Hollywood—Robert Sherwood, indie producer, is negotiating with Elisabeth Bergner and Paul Czimmer, her director husband, who are in Hollywood, to star in and direct "Rings on Her Fingers," a novel recently published. Film would be for UA release.

Wehrenberg Talking St. Louis Trust Suit

(Continued from Page 1)

retained counsel. Distributors were informed of such contemplated action unless an equitable compromise could be reached.

One of the principal points of contention is that not only have certain national distributors raised the clearance for the St. Louis Amusement Co.'s second-run in South St. Louis, notably the Granada, from 14 to 21 days but it is charged the 21-day limit is not being enforced against subsequent-run houses of the St. Louis Amusement Co. So far as could be learned the matter has not been officially brought to the attention of the Federal Department of Justice.

In the meantime, the independents are continuing their buying strike. Wehrenberg is said to have signed up only for Columbia, United Artists, M-G-M, and Paramount. Twentieth-Fox is said to have received recent orders from New York that the 21-day clearance must be strictly enforced against all subsequent.

12 French Re-issues Set For Release by Datlowe

Series of 12 French films will be reissued for the 1940-41 season, it is announced by Datlowe Productions, recently formed by Samuel A. Datlowe. J. J. Balaban is acting as sales manager.

Titles follow: "Le Bonheur," "The Orderly," "The Barber of Seville," "The Bells," "Ciboulette," "Marie Chapdelaine," "The Last Millionaire," "Charlemagne," "Pension Mimosa," "Les Petits," "Lac Aux Dames" and "The Mysteries of Paris." Pictures feature such players as Charles Boyer, Harry Baur, Jean Gabin, Raimu and Simone Simon.

American distribution rights are owned by Franco-American Films, with the entire lineup produced in France between 1936-38.

Douglas on Roach Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Gordon Douglas will direct "Broadway Limited" for Hal Roach. Victor McLaglen, ZaSu Pitts and Patsy Kelly are only cast members set. Railroad background scenes along the Pennsylvania Railroad have been filmed by Hal Roach, Jr., who is associate producer of the picture, based upon an original story by the late Grover Jones. It is now being adapted by Rian James and Robert Presnell.

700 Playdates for "Power"

"Power and the Land," U. S. Government documentary has, already been set in for more than 700 playdates around the country, Harry Michelson, RKO, short subject sales manager, said yesterday.

Pix has its New York premiere at the Rialto Dec. 10.

HOLLYWOOD SPEAKING--

By RALPH WILK

HOLLYWOOD

ONE man's dish is another man's poison. Poison to Richard Thorpe was the heavy snow at Flagstaff, Ariz., making it impossible for his "The Bad Man" company to work. He returned to studio just as Norman Taurog was sending a camera crew to Flagstaff to get snowy backgrounds for "Men of Boys' Town." Both directors are making pictures for M-G-M.

PRODUCER-DIRECTOR George Stevens is nearing completion of "Penny Serenade" co-starring Cary Grant and Irene Dunne, his first production for Columbia.

FROM the ridiculous to the sublime. Granville Owen who played the title role in "Li'l Abner," is now being considered by Sam Wood for a role in "The Devil and Miss Jones," which stars Jean Arthur for RKO. The former was slapstick comedy, while Wood's picture will be serious drama.

GOOD will ambassador to South America, Wesley Ruggles, Columbia producer-director is cementing amicable relations. Buenos Aires, Argentina, is especially flattered to be the first South American city to show "Arizona," which Ruggles directed. Ruggles has had print shipped there specially for gala premiere.

BRADBURY FOOTE, M-G-M scenarist, has become half owner of a gold claim in the Tula Rosa range of mountains in New Mexico. While there recently getting local color for script of "Billy The Kid," he grubstaked an old prospector named Shep Sheffield. Foote has now received a check for \$36.75, his share of two months' take from the claim.

RENEWING his connections with the New York Athletic Club, Charlie Ruggles will fly East next month to compete in the club's handball tournament. Ruggles is going after the NYAC and the Los Angeles A. C. championships this year. He has held both separately, but will try for both this year.

FOR a gag, on the last day of shooting of "Invisible Woman," A. Edward Sutherland, who directed the picture for Universal, presented Virginia Bruce, featured player, with a cellophane box in which he had placed a drop of gardenia perfume—in other words, an invisible flower. When the gag had got its laugh, he gave her the bottle of perfume.

NORMAN TAUROG has established an honor system on the set of "Men of Boys' Town," at M-G-M. No one accuses anyone of holding up production, but the boys check up on each other. Any boy guilty of spoiling a "take" has to forfeit his ice cream when the "Good Humor" man comes around.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"The Son of Monte Cristo"

with Louis Hayward, Joan Bennett, George Sanders

United Artists 102 Mins.
ROMANTIC YARN OF MYTHICAL KINGDOM HAS ACTION, SUSPENSE AND GLAMOUR.

"Long live the King," and "Down with tyrants," is the theme of this romantic yarn about a mythical kingdom. Only in this case, it actually is "Long live the Queen," in the person of Joan Bennett. There is glamour, romance, action and swordplay, suspense and intrigue rolled up into one package for the edification of the average audience. The top players have marquee value as "names," the Monte Cristo title suggests the background of the story and characters aptly, and Edward Small has supplied an opulent background for the film.

Picture should entertain the average audience, although it has several faults. The dialogue is static in places and the situations are telegraphed. In addition, Miss Bennett and George Sanders are not overly animated in their characterizations. Louis Hayward is fine as Monte Cristo, playing his role with gusto and charm, although he gets bogged down a couple of times by situations and dialogue that do not ring true.

A strong supporting cast numbers such capable players as Florence Bates, Lionel Royce, Montagu Love, Ian MacWolfe, Jack Mulhall and Theodor von Eltz among its members.

Rowland V. Lee directs the picture ably maintaining his suspense well and getting a punch into the action sequences. George Robinson gets credit for a smooth job of photography. Hayward rides out the scene as Miss Bennett, ruler of Lichtenburg, is trying to escape to France to seek the help of the French emperor to rid herself of Sander's despotic army head who has seized virtual control of the country.

From there on, Hayward masquerades, makes love, fights duels and creates trouble for Sanders; gets caught, escapes and breaks up Sander's wedding to Miss Bennett with true love conquering all, etc.

CAST: Louis Hayward, Joan Bennett, George Sanders, Florence Bates, Lionel Royce, Montagu Love, Ian MacWolfe, Clayton Moore, Ralph Byrd, George Renavant, Michael Visaroff, Rand Brooks, Theodor von Eltz, James Sey, Henry Brandon, Jack Mulhall, Edward Keane, Lawrence Grant.

CREDITS: Producer, Edward Small; Director, Rowland V. Lee; Screenplay, George Bruce; Cameraman, George Robinson; Editor, Arthur E. Roberts.

DIRECTION, Able. PHOTOGRAPHY, Good.

M-G-M Pacts Horace MacNally

West Coast Bureau of THE FILM DAILY
Hollywood Metro has signed Horace MacNally of the east of the Broadway play, "Johnny Belinda," to a term contract.

Writing Script for Korda

West Coast Bureau of THE FILM DAILY
Hollywood — Marc Chadbourne, French scenarist, is writing a scenario for Alexander Korda. Title is "Shallow Water."

"Little Men"

with Kay Francis, Jack Oakie, George Bancroft, Jimmy Lydon

RKO 84 Mins.
SENTIMENTAL PIECE IS PLEASANT OFFERING FOR FAMILY TRADE BUT NEEDS SELLING.

Louisa May Alcott's well-known story has been faithfully transferred to the screen by Gene Towne and Graham Baker in this new RKO release. It should appeal to the family trade. Exhibitors have several well-known stars to sell as well as the noted author's name, but the picture will need plenty of selling, due to its dated theme and setting. It is sentimental and costumed, meandering along in a leisurely fashion to a satisfactory climax.

Kay Francis, Jack Oakie, George Bancroft and Jimmy Lydon give neatly turned performances in the top roles. A good supporting cast includes Ann Gillis, Charles Esmond, Richard Nichols and Johnny Burke, all of whom are helpful. Picture also marks the debut in films of Borden's celebrated cow, Elsie. Director Norman Z. McLeod directs the picture with a feeling for the sentiment and leisurely pace of the Alcott story, and the screenplay written by Mark Kelly and Arthur Caesar points the various aspects of the story. Oakie will get some solid laughs.

Story deals with the regeneration of Bancroft, a confidence man, when he is stuck with the infant son of a close friend. The boy, Jimmy Lydon, helps Bancroft peddle a cure for drunks after he has taken the boy for his own son, but finally he is forced to put him into a school run by Miss Francis and her husband, Esmond. Bancroft takes money from the couple, loses it in a bank failure, but returns to the school, and with Oakie's help they save the place from the hammer although they both go to jail.

CAST: Kay Francis, Jack Oakie, George Bancroft, Jimmy Lydon, Ann Gillis, Charles Esmond, Richard Nichols, Casey Johnson, Francesca Santoro, Johnny Burke, Lillian Randolph, Sammy McKim, Edward Rice, Anne Howard, Jimmy Zaner, Bobby Cooper, Schuyler Standish, Paul Mathews, Tony Neil, Fred Estes, Douglas Rucker, Donald Rackerby, William Demarest, Sterling Holloway, Isabel Jewell, "Elsie."

CREDITS: Produced by Gene Towne and Graham Baker; Director, Norman Z. McLeod; Screenplay, Mark Kelly and Arthur Caesar; Novel, Louisa May Alcott; Cameraman, Nicholas Musuraca; Editor, George Hvely.

DIRECTION, Able. PHOTOGRAPHY, Good.

New Stage Show at Para.

N. Y. Paramount is bringing in a new "in person" show for the fifth week of NWMP, starting tomorrow. Ray Herbeck and ork replaces Glen Gray and his Casa Loma Band. Red Skelton stays but with a new routine. Other new acts will be Rosemary Lane and the Ink Spots, latter from radio.

"U" Buys Story

West Coast Bureau of THE FILM DAILY
Hollywood—Universal has bought "Jacqueline" by Ladislav Fodor.

"Second Chorus"

with Fred Astaire, Paulette Goddard, Artie Shaw and Ork

Paramount-Boris Morros 83 Mins.
(HOLLYWOOD PREVIEW)
SMOOTHLY DONE MUSICAL HITS THE RIGHT TEMPO FOR BOX-OFFICE APPEAL.

Boris Morros' first picture for Paramount, co-starring Fred Astaire and Paulette Goddard, plus the featuring of Artie Shaw and his band musically, hits the tempo for box-office appeal. A musical by title and casting, the picture cleverly is woven into a pattern of events that allows the music to become an integral part of its story, thus sustaining itself dramatically as well as musically.

Astaire scores solidly in his dance numbers as well as his several vocals. Teamed with Paulette Goddard in one dance routine, Goddard's first dancing before the cameras, they both win favor with a fine display of rhythm. Dramatically, as well, both enact their roles well. Charles Butterworth comes in for a fine round of applause for his comedy antics. Artie Shaw remains himself throughout, displaying a fine brand of music that should enhance his own fan following. Notable is his rendition of a blues solo from the "Swing Concerto." Burgess Meredith's fine enactment of his role and his particular brand of comedy performance is tops.

Directed by H. C. Potter, the picture flows along smoothly from the screen play developed by Elaine Ryan and Ian McClellan Hunter, based on an original story by Frank Cavett. Johnny Mercer also contributed to the screenplay.

Leader of a college orchestra, Astaire and his buddy, Burgess Meredith, ensnare Goddard as their manageress. Goddard makes good and sells the band in soots against Shaw's and other name bands. Shaw engages her services for his own band Astaire and Meredith secure a tryout with Shaw but fail to make the grade, almost ruining the entire performance due to their rivalry for Goddard's favor. They become musical outcasts. After much comedy situations, securing Butterworth as the financial sponsor for a Shaw concert and the writing of a fine comedy number, "Poor Mr. Chisholm," the boys succeed in getting another tryout and make good.

Musical numbers include "Would You Like to be the Love of My Life" by Artie Shaw and Johnny Mercer; "Poor Mr. Chisholm" by Bernie Hanighan and Mercer; "Dig It" by Hal Borne and Mercer, and "Swing Concerto" by Artie Shaw. The photography by Theodor Sparkuhl was of fine caliber. Producer Boris Morros, assisted by Associate Producer Robert Stillman, should be credited with a well planned, finely executed, high quality production. Ed Paul assisted as Associate Musical Director.

CAST: Fred Astaire, Paulette Goddard, Artie Shaw and His Band, Charles Butterworth, Burgess Meredith, Jimmy Conlon, Don Brodie.

CREDITS: Producer, Boris Morros; Associate Producer, Robert Stillman; Director, H. C. Potter; Author, Frank Cavett; Screenplay, Elaine Ryan and Ian McClellan Hunter.

"The Bank Dick"

with W. C. Fields, Una Merkel, Richard Purcell

Universal 74 Mins.
(HOLLYWOOD PREVIEW)
HERE'S A WOW THAT WILL BRING 'EM IN AND SATISFY 'EM: FIELDS IS GREAT AND CLINE'S DIRECTION CORK-ING.

In "The Bank Dick," W. C. Fields returns to the formula which earned him such a large early following, and with this has been combined the farcical artistry of Eddie Cline, a director who today stands at the top of those who know how to combine the laugh-chills of the chase of early days with enough plot twists to make it a picture of today.

The original screenplay by Mahatma Kane Jeeves is chock full of interesting gags and situations. Una Merkel, Cora Witherspoon, Jessie Ralph, Franklin Pangborn, Grady Sutton, Richard Purcell, Shemp Howard, Evelyn Del Rio, Pierre Watkin, Harlan Briggs and Russell Hicks are among the principals. Jack Otterson rates commendable mention for his art direction, as does Charles Previn for his musical direction.

The story tells of how the town's biggest tippler becomes a bank detective when quipped by accident he is credited with the capture of a bank robber and the recovery of all the stolen funds. He induces one of the clerks, engaged to his daughter, to draw enough money to buy some oil stock from a trickster.

When the bank examiner shows up unexpectedly, Fields tries his best to incapacitate this official until the boy's bonus will arrive. This fails, but in the meanwhile the stock becomes fabulously valuable through a gusher coming in. The robber returns, uses Fields as the driver of his escape car. A long chase ends in Fields' again getting credit for the capture; and with the oil wealth he becomes one of the town's first citizens.

Save for those spots where parent associations object to bar room scenes, this picture is a good booking for any house any day; for those in that group it can best be spotted on days where adult patronage is most likely to predominate.

CAST: W. C. Fields, Cora Witherspoon, Una Merkel, Evelyn Del Rio, Jessie Ralph, Franklin Pangborn, Shemp Howard, Richard Purcell, Grady Sutton, Russell Hicks, Pierre Watkin, Al H'il, George Moran, Bill Wolfe, Jack Norton, Pat West, Red Hadley, Heather Wilde, Harlan Briggs, Bill Alston.

CREDITS: Director, Edward Cline; Author, Mahatma Kane Jeeves; Screenplay, same; Cameraman, Milton Krasner, ASC; Art Director, Jack Otterson; associate, Richard Riedel; Editor, Arthur H'lton; Musical Director, Charles Previn; Sound Supervisor, Bernard B. Brown.

DIRECTION, Corking. PHOTOGRAPHY, Very Good.

ter; Contribution to Screenplay, Johnny Mercer; Art Director, Boris Leven; Cameraman Theodor Sparkuhl, ASC; Editor, Jack Dennis; Associate Musical Director, Ed Paul; Production Manager, Joe Nadel.
DIRECTION, Smooth. PHOTOGRAPHY, Fine.

Distrib. Counsel 'Out-smarted' Gov't--MPTOA

Decree Legalizes Block-Booking, Ed Kuykendall Tells Carolina Exhibs.

By MARY BROOKS PARHAM
FILM DAILY Staff Correspondent

Charlotte—As principal speaker at the North-South Carolina Theater Owners annual convention yesterday, Ed Kuykendall, MPTOA president, devoted his address to denunciation and criticism of the consent decree. The distributors' lawyers "out-smarted" the government, he affirmed.

Kuykendall declared the decree legalizes block-booking instead of prohibiting it, will prove costly and hurtful to the entire industry, and that it is satisfactory to nobody in the industry.

The MPTOA prexy predicted a shortage of film product, and urged exhibitors to conserve pictures.

The decree's language is vague, and difficult to understand, he asserted, adding that lawyers themselves are divided in their interpretations.

Kuykendall opposed arbitration by outsiders who know nothing of the industry, and asserted the distributors "brought this all on themselves aided and abetted by some exhibitors."

"Scarface" Finally Okay For Chicago Exhibition

Chicago — "Scarface," banned here since its release in April, 1932, has finally been passed by the Chicago Police Board of Censors, and will be released in the territory by Calumet Pictures Corp. There was only one deletion, comprising about 25 feet showing Muni in the act of shooting George Raft. No other deletions were ordered. The deal was set by Astor Pictures Corp., New York, who handle "Scarface" nationally.

Carver to Stress "Flesh" In Detroit's the Town

Detroit—The Town Theater, first-run houses closed recently by Sam Carver, reopens Saturday, following remodeling. House will place emphasis upon stage shows.

Pictures will be first-run, with product deal likely to be signed with either Universal, RKO, or United Artists, according to Carver.

Could You Do This?

Old Forge, Pa.—Dan Holland, manager of the Holland Theater here, may have his lobby crowded a little too early in the morning to do business but he has been building up plenty of good-will by allowing townspeople to use the theater lobby as a waiting place for the bus. The lobby is open each day at 6 a. m.

Loss of Canadian Patronage Sharply Cuts Grosses in Detroit Downtown Pix Houses

Detroit—With downtown theater business considerably off from the seasonal normal, an explanation has been found, in part, in the loss of Canadian patronage. Under rules put in force last Summer, Canadian citizens may normally take only \$5 in currency out of the country when they cross the river here.

What this has meant to local grosses was drastically exemplified at the Family Theater, where Manager Edgar E. Kirchner reported the total gross of Canadian currency for the past month at \$10—compared with grosses running \$1,000 up to last Summer, when the trade was suddenly killed by the edict.

Dallas Amateur Wins Maxim Memorial Award

The Hiram Percy Maxim Memorial Award, which is made annually by Movie Makers Magazine for the best of the year's 10 outstanding non-theatrical films, has been accorded to Chester Glassey of Dallas, for an 8 mm. color film called "The Will and the Way." Others who placed among the 10 were James W. McCarthy and Harold E. Remier, both of Los Angeles; Mr. and Mrs. Kenneth F. Space, Brooklyn, N. Y.; Morton H. Read, Springfield, Mass.; Edward R. Hoff, Freeport, Ill.; Earl L. Cochran, Colorado Springs, Col.; Robert P. Kehoe, New York; the Harmon Foundation, New York City, and Willard Pictures, New York City.

Associated Sales Expands

Detroit—Associated Sales Co., industrial and slide film producers, is expanding activity heavily in the automotive field, with three new executive appointments. Gayle Knapp, former convention manager for Jam Handy, is new convention director; George Gladden, lately writer and director with Audio Productions, is new technical director; and Carroll Sexton joins the contact staff as a marketing-merchandising specialist.

Sonneman Opens New House

Springdale, Ark.—The new Shilo, has opened as an addition to the Northwest Arkansas Circuit owned by W. F. Sonneman, of Fayetteville. Clyde Allard, who manages the Concord here, will also have charge of the new Shilo.

"Great Dictator" Stays Fifth

Cleveland—"The Great Dictator," doing better than 200 per cent more than average business in its fourth week at Loew's Stillman Theater, is being held a fifth and final week.

"Road Show" In Pitts. Bow

West Coast Bureau of THE FILM DAILY Hollywood — Hsl Roachs' "Road Show," will have its world premiere at the Stanley Theater, Pittsburgh, on Friday.

J. W. Allen Buys House

North Wilkesboro, N. C.—New Orpheum Theater here, was sold under receivership to J. W. Allen, of North Wilkesboro, who will operate.

Milwaukee Price "Hikes" Flop; Old Scales Back

Milwaukee — Attempts of several first-runs and nabe houses to boost admission prices have proved none too successful here. Fox hiked its top at its Wisconsin and Palace here last week from 55c to 65c for "Tin Pan Alley," but is back again on its old policy. H. J. Mirisch's Tower and Oriental theaters played at a four cent hike—from 36c to 40c, plus tax—for slightly more than a week, but is back again on the old schedule.

RKO Casting Two Films

West Coast Bureau of THE FILM DAILY

Hollywood—RKO announces that Signe Hasso, Norwegian actress, will play the feminine lead in "Father Takes a Wife," set for Spring production, with Alberto Vila, Argentine actor, Adolph Menjou, Anne Shirley and James Ellison also in the cast. Studio also stated that the French actress, Michele Morgan, would play the feminine lead in either "Palm Beach Limited" or "Before the Fact."

Gilbert Miller May Produce

West Coast Bureau of THE FILM DAILY

Hollywood—There is a possibility that Gilbert Miller, stage producer, may produce for the films, in association with Lester Cowan, "Ladies in Retirement," which Miller staged on Broadway. Miller and Cowan have formed a partnership, the latter stated, and are negotiating with Columbia to distribute their productions.

"We Are 40" Sold to Metro

Metro has acquired film rights to the non-fiction book, "We Are Forty And We Did Get Jobs" by Clara Belle Thompson and Margaret Lukes Wise, which was published by J. B. Lippincott last year.

ATAHT Set In Mexico

Mexico City (By Air Mail)—ATAHT will have a three-theater premiere, first in the history of the city, on Christmas Day. Joseph G. Mullen, Warners' Mexican general manager, is handling all the details.

Wood Sells in Apollo

Apollo, Pa. — Woodies Theater here, owned and operated by Harry A. Wood for more than 20 years, has been sold to Joseph Cipriany, of Clarksburg, a newcomer in the business.

Cuban Exhib. Counsel To Fight for Decree

(Continued from Page 1)

decree, stated that he and his organization were determined to fight any change in the measure. He was supported by 11 indie distributors.

Move by Trinchet caused the Minister of Commerce, who has been studying the decree, to state that the Government does not wish to interfere in the controversy and he ostensibly washed his hands of it when he recommended to all parties that they seek a favorable agreement among themselves. He also expressed doubt as to the efficacy of arbitration by outsiders.

In addition to the move by the Commerce Minister, the musicians, the association of artists of the theater, and the stagehands favored keeping the decree.

Whether or not U. S. distributors will continue to service accounts has not been clarified, but apparently no new pictures will be distributed. The U. S. distributors are reported to have turned down a suggestion that a three months' extension period be granted during which time the matter would be negotiated.

NWMP Clicks on At N. Y. Para.

"North West Mounted Police" starts its fifth and final week at the Broadway Paramount tomorrow. Picture is reported to have grossed more than \$179,000 during the first three weeks, with a fourth week take of approximately \$35,000 and an \$18,000 week-end.

"Three Scratches" as a "Queen"

West Coast Bureau of THE FILM DAILY

Hollywood—Larry Darmour's next of the "Ellery Queen" series will be "The Three Scratches." The four principals in the picture will be Ralph Bellamy, Margaret Lindsay, Charlie Grapewin and James Burke. Eric Taylor is doing the screenplay and picture goes into production in January.

TO THE COLORS!

Chicago—Douglass Majury of Warner-Avalon Theater, John Collins of the Rhodes Theaters and Chris Kuris of the Avalon Parking Service have been called to the colors.

St. John, N. B. — Frank Lowney, who was on the staff of the Mayfair, St. John, when he enlisted in the Canadian Army Medical Corps at the outbreak of the war, has been promoted to a sergentency. Mike Corber, who was on the staff of the Regal Films exchange here when he enlisted in the same unit at the start of the war has been advanced to corporal.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 109

NEW YORK, WEDNESDAY, DECEMBER 4, 1940

TEN CENTS

SEES ENGLISH SELLING SYSTEM IN U.S.

"Big Five" Dropped as Griffith Suit Defendants

Editorial

Three Plays ... about Hollywood

By CHESTER B. BAHN

NOW that the last of three plays with a Hollywood locale and story has emulated the Arabs by folding and silently stealing away from Broadway, perhaps a few words about them may be in order.

Not about their merit as entertainment, but about their potentialities for mischief insofar as Hollywood and the industry generally is concerned.

All three were styled comedies, with leanings towards satire and caricature, more or less. Because so-called "standardized" types peopled the stories, the composite picture of Hollywood presented was, to put it mildly, vicious. Accepted at face value, it would serve to confirm almost the wildest of nasty charges that in the past have labeled the film capital and screen people.

IT WILL be remarked, of course, that no claims of factuality were made for the plays, and that is correct. But unfortunately, either in writing or in production, they represented the work of persons identified with the industry, past or present. Inevitably, there was the conclusion on the part of some that Hollywood "dirt" was being spilled.

Spilled? Pitch-forked probably would be the better word for it. Indeed, in the instance of one play the rumor, rightly or wrongly, was around that it was designed to pillory a certain early star who, years later, aspired to missionary endeavor of sorts.

To the dramatic treatment of Hollywood and its follies there can be no objection. Naturally, there is much in Hollywood which invites lampooning. Hollywood appreciates that to the extent that it has on several occasions joined in. But to lampoon is one thing, to do what at least two if not all three of the plays did is essentially another.

IT IS little wonder, then, that Burns Mantle of the New York Daily News was led to suggest that it might be well were Hollywood scripts designed for the theater be submitted to Will H. Hays for scrutiny.

"Not to function as a censor," quoting Mantle. "Nobody likes a censor. Nobody wants the drama to be censored. But to help by advising... as a man of taste, with considerable experience in evaluating the reactions of large numbers of people

(Continued on Page 2)

U. S. Files Stipulation in Oklahoma; Action Results From Decree in New York

Oklahoma City—In line with the agreement under the consent decree in the New York equity suit whereby the Government would drop its regional anti-trust suits against the distributors, the "Big Five" co-defendants in the Griffith action have won dismissals.

Charles Dierker, Federal district attorney, has filed a stipulation agreeing to dismissal of the Government anti-trust suit against 20th Century-Fox, and its Texas subsidiary, Loew's, Inc., and its M-G-M

(Continued on Page 3)

UA, "U" May Join In Col. Dismissal Move

United Artists and Universal may join with Columbia in an application tomorrow before Federal Judge Henry W. Goddard to dismiss the Government's amended equity complaint against the three companies, it was learned yesterday. It is un-

(Continued on Page 3)

Loew Board Meets Dec. 11; Extra Dividend is Talked

Today's scheduled meeting of the board of Loew's, Inc., has been postponed until Dec. 11 when the possibilities are that an extra dividend may be declared. While no indica-

(Continued on Page 7)

Film Co. Earnings Moving Up Costs Adjusted; Attendance Increasing

Third Interest in Hart Play May Go to Para.

Negotiations whereby Paramount would acquire approximately a one-third interest in Moss Hart's play, "Lady in the Dark," have been concluded and papers are expected to be signed shortly. Play was acquired

(Continued on Page 4)

SAYS DECREE HAS "JOKER"

Milwaukee Editorial Foresees Wide Circuit Expansion

Milwaukee—Consent decree in the New York equity suit has a "joker" which permits unlimited circuit expansion, it is charged editorially by the Milwaukee Journal.

Paper says, in part: "Another consent decree on examination turns sour. That has been the history of these compromises between Government and busi-

(Continued on Page 8)

Philly Court May Okay Money Games

Philadelphia—Judge Howard Davis, presiding Judge, Common Pleas No. 3, reserved decision but indicated that it might eventually be favorable after hearing testimony in a friendly test cast on "Zingo"

(Continued on Page 7)

Broidy, Mono. Sales Head, Honored at Boston Dinner

Boston—Hail to the new sales manager for Monogram and farewell to the retiring president of the Variety, nee Friars Club of Boston was said in one and the same tribute at

(Continued on Page 4)

One-at-a-Time Deals Due, Says Silverstone; Single Pix by All UA Producers?

By AL STEEN

FILM DAILY Staff Writer

The American film industry is drifting toward the English method of selling pictures one at a time in

the opinion of Murray Silverstone, head of United Artists, who recently returned from Hollywood conferences. Silverstone bases his opinion on the status of world conditions and developments that are likely to result from the

(Continued on Page 8)



MURRAY SILVERSTONE

50-50 May be New "Dictator" Terms

Selling terms on "The Great Dictator" when it goes into general release next year are expected to be on a 50-50 basis, it was said yesterday

(Continued on Page 7)

UA Seeking Dismissal Of Sam Goldwyn Action

Edward C. Raftery, attorney for United Artists, yesterday asked Federal Judge Edward A. Conger to dismiss Samuel Goldwyn's suit for termination of his distribution con-

(Continued on Page 4)

Films, Radio Kiss?

A closer relationship between motion pictures and radio was seen yesterday when Hedda Hopper, who does an air column under the sponsorship of Sunkist, declared that the picture concerns have lifted the taboo on the air activities. New policy calls for emphasis on specialized tie-ups.

THE Film DAILY ALL THE NEWS ALL THE TIME

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DONALD M. MERSEBAU : General Manager
CHESTER B. EAHN : : : : Editor

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FINANCIAL

(Tuesday, Dec. 3)

NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Seat.				
Col. Pict. vcs. (2½%)	5½	5½	5½	
Columbia Pict. pld.	21	21	21	
Con. Fm. Ind.				
Con. Fm. Ind. pld.	9	8½	9	+ ¼
East. Kodak	143½	143½	143½	— ½
do pld.				
Gen. Th. Ed.	31½	31¼	31¼	+ ¼
Loew's, Inc.	108	108	108	+ ¼
do pld.				
Paramount	10½	9¾	10½	+ ¼
Para. 1st pld.	10½	10½	10½	+ ¼
Para. 2nd pld.	10½	10	10	— ¼
RKO Film	23	21	21	— ¼
RKO	35½	35½	35½	+ ¼
RKO 55 pld.	35½	35½	35½	+ ¼
20 th Century-Fox	6	5½	5½	— ¼
20th Century-Fox pld.	16½	16½	16½	+ ¼
Univ. Pict. pld.	3¼	3¼	3¼	+ ¼
Warner Bros.	31	30	31	+ ¼
do pld.				

NEW YORK BOND MARKET

Keith B. F. ref. 6.45	104½	104½	104½	+ ¾
Loew's deb. 3½	51	51	51	+ ¾
Para. Pict. 6.55				
Para. Pict. cv. 3½	95	95	95	
Warner Bros. db. 6.48	91¾	91¾	91¾	

NEW YORK CURB MARKET

Monogram Pict.	9-16	½	½	
Radio Keith vcs.	16	13	13	+ 1-16
Sonotone Corp.	10	9½	9½	+ ¾
Trans-Lux	4¼	4¼	4¼	— ¾
Universal Corp. vcs.	4¼	4¼	4¼	— ¾
Universal Pict.				

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. '45	66	68	
Roxy Theat. Bldg. 45 1st '57	62	64	

Schines Terminate Bingo In 3 Rochester Houses

Rochester—After a several weeks' test Schine has dropped weekly Bingo games at the Lake, Webster and West End.

Super Bingo games, however, are staying at the Riviera, Madison and Monroe—Schine houses—on Wednesday nights. Business at these houses is reported to be good.

Three Plays ... about Hollywood

(Continued from Page 1)

who support the theater. Both the picture theater and the legitimate theater...

"Mr. Hays... has learned from experience that decency is not only fun, but profitable, as well. He knows that supporters of the theater, and particularly those supporters whose enthusiasm is stimulated by their idolatry of motion picture stars, want to think well of their heroines." Exactly.

Triple Feature Programs Still Gain in St. Louis

St. Louis—Despite the efforts of the Better Films Council of Greater St. Louis to combat triple bills, the practice seems to be growing. Walter Thimmig's McNair Theater in South St. Louis and the Osage in Kirkwood, are the latest houses to put such a policy into effect on certain nights.

The educational campaign aimed at multiple features by women's clubs, parent-teacher groups and others continues and fear is felt in some exhib. quarters that there will be legislative repercussions.

A new Missouri General Assembly which convenes at Jefferson City on Jan. 6 will be dominated by men from the rural districts and smaller communities of the state. A combination of Democratic and Republican rural legislators is a factor that conceivably might bring adverse legislation. In the past, the BFC has opposed censorship moves.

MPTO Makes No Move To Establish Albany Unit

Albany—Although reports from unstate in the wake of Ed Kuykendall's visit indicated MPTO of New York would establish a sectional group here, all exhibs. here profess no knowledge of any progress. Due to large circuit representation in this section, however, some exhibs. feel the legislative session may bring about activity.

Allied unit folded here last January when regional vice-president Mitch Conery of the Conery Circuit and five other active members quit and there has been little organization work hereabouts since.

C. Henry Gordon, Actor, Dies in Coast Hospital

West Coast Bureau of THE FILM DAILY

Hollywood—C. Henry Gordon, 57, screen character actor, died yesterday in Hollywood Hospital following a leg amputation performed Monday because of a blood clot.

Gordon, a native of New York, was educated both here and abroad and had spent his entire adult life before the footlights and on the screen.

Schmidt Challenges Claim Weak Film Ads Hurt B.O.

Art Schmidt, M-G-M publicity manager, challenges a recent editorial in an advertising publication which blamed film advertising for the reported theater attendance drop from 80,000,000 to 55,000,000 weekly.

Speaking before the Boston Advertising Club, Schmidt pointed out that the statistics, themselves, were untrue and that the results of the recent Gallup poll were being carelessly used and inaccurately interpreted.

The 55,000,000 figure was for one week in July, while the industry estimate of 80,000,000 was the average weekly patronage over the year, Schmidt said. Actually, he added, taking into account the July business this year and the wide variation in weekly box-office returns, the figure of 55,000,000 was pretty much in line with what the industry estimate of 80,000,000 would indicate for that period.

Two Columbia Releases Set for the Music Hall

Herbert Wilcox's "No, No, Nanette" for RKO will follow "The Thief of Bagdad" at Radio City Music Hall it was announced yesterday by W. G. Van Schmus, managing director. As printed in THE FILM DAILY yesterday, "The Philadelphia Story" starts at the Music Hall on the 26th, following "No, No, Nanette."

The Katharine Hepburn Metro pix in turn will give way to Columbia's Wesley Ruggles production of "Arizona" while a second Columbia release, "This Thing Called Love," is set to follow the latter.

Myers' Decree Analysis Discussed by N. J. Allied

Discussion of Abram F. Myers' analysis of the consent decree was the highlight of yesterday's meeting of New Jersey Allied members in the unit's headquarters in Sardi's Bldg. Approximately 30 members attended.

Branch Managers Discuss Brit. War Relief Program

Meeting was held Monday of all branch managers here for a discussion of the motion picture exchange division's program for British war relief. Harry Buxbaum, chairman, presided, and Maj. Albert Warner was the principal speaker.

Stage Shows for Cincy House

Cincinnati—RKO Shubert is adding stage shows beginning Dec. 17.

3 & K Using Disney Festival

Chicago—B & K has booked the Disney Festival program for many of its nabs.

COMING and GOING

DAVID ROSE left last night for the Coast. W. F. RODGERS and other execs. are due to return to the Metro home office today.

LESTER COWAN has returned to the Coast. WESLEY RUGGLES and his wife are spending a few days in Florida before returning to California. They arrived in Florida recently after a trip to South America.

ANDY DEVINE and his wife are due here this week from the Coast for a two-week vacation.

HERBERT MARSHALL arrived yesterday from Hollywood.

ERROL FLYNN planes out from the Coast tomorrow night for a p.a. in Cleveland, returning to the Coast immediately afterwards.

LILY CAHILL arrived yesterday from Texas. MAURICE BARBER and his wife arrived yesterday from Nassau.

VICTOR FRANCON and his wife are at the Warwick.

BEN KALMSEN returned to his Warner home office desk yesterday after a Coast trip.

JULES LAPIDUS, Universal district manager, was a New Haven visitor.

Further UA Sales Changes Announced by Arthur Kelly

In addition to the promotion of Earl Collins, United Artists branch manager in Denver to the management of the Los Angeles exchange, Arthur W. Kelly yesterday announced the shifting of Alex Singelow, Denver salesman, to a more important post in Seattle. Jack O'Bryan also makes a promotional move from Seattle to the San Francisco branch. A new salesman is to be added to the Denver office to replace Al Hoffman who has been moved up to manager.

Late Midwestern Info. Delaying AID's Report

Late arriving cards from Midwestern areas have delayed the issuance of the second Allied Information Dept. product survey report, but all data will be ready for circulation next week.

While details are lacking, Allied sources declare the report shows that product terms in non-Allied territories are higher than in regions where Allied units operate.

"Happy Birthday to You"



From THE FILM DAILY to Murray Silverstone John Doran Jack Sullivan Lloyd F. Bacon

UA, "U" May Join In Col. Dismissal Move

(Continued from Page 1)

derstood that one of the two companies has already definitely pledged support to Columbia in its application and that the other company has not determined its course.

Columbia is contending that the original suit was primarily brought against the "Big Five" as the theater owning companies and that it was only brought in as a defendant as an almost unwilling collaborator of the "Big Five" in alleged abuses.

The contention of the "Little Three" will be that the Government is settling its dispute with the "Big Five" had waived rights against the "Little Three" and could not consistently contend that they were the primary conspirators. Government officials on a number of occasions during negotiations for a decree privately conceded the difficulties of stating a cause of action against the "Little Three" separately.

Columbia is expected to call the Court's attention to statements made by Government attorneys to the effect that the "Big Five" own the controlling interest in the industry.

A dismissal of the complaint would mean a complete disposition of the suit and its termination unless the Government was afforded an opportunity to further amend.

Detroit First-Runs Join For Day-and-Date Benefit

Detroit—The Michigan and Fox Theaters, two largest first-runs, will unite Saturday for a "day-and-date" midnight benefit for the Goodfellows' Old Newsboys' Fund. With top caliber stage shows in both houses, these will be the backbone of the show, with additional acts from practically all leading night clubs. Event is sponsored by The Detroit Times.

Rochester — Annual "tin can" Christmas party, sponsored by the Democrat and Chronicle, will be held at the RKO Palace and Century Theater Dec. 21. Admission will be one cent and one can of food for the Salvation Army Christmas baskets.

"Ted" Curtis Again In Army Air Corps

Rochester—Edward Peck "Ted" Curtis, motion picture film sales manager for Eastman Kodak, left yesterday for Washington to return to Army service. On a year's leave of absence from Kodak, Curtis resumes his rank as a major in the Army Air Corps and will work in the Plans and Operations Section. Curtis served with A.E.F. Air Service, 1917-19, and for his exploits was decorated with the D.S.C., Croix de Guerre and Order of St. Anne.

FETE BERNHARD ON ANNIVERSARY

Warner Theater Chief Dined by Zone Managers and Home Office Executive Staff

Joseph Bernhard, general manager of Warner Theaters was the guest of honor of the Theater Department last night at a dinner in the Waldorf-Astoria, celebrating his 10th Anniversary with the company.



JOSEPH BERNHARD

Bernhard was presented with a memory book containing the signatures of the Zone managers, home office staff, heads of departments in the field, district managers and all managers in the Warner Circuit.

Hosts were Warner Zone Managers and members of the home office executive staff: Moe Silver, Nat Wolf, Howard Waugh, James Coston, Donald Jacobs, I. J. Hoffman, Ted Schlanger, Harry Kalmine, John J. Payette, Herb Copelan, Clayton E. Bond, J. M. Brennan, Frank E. Cahill, Nat Fellman, Jules Girden,

Harry Goldberg, Ed. E. Hinchey, Louis J. Kaufman, Sam E. Morris, Herman Maier, Harry Mayer, W. Stewart McDonald, Frank Phelps, Harold Rodner, Harry Rosenquest, Leonard Schlesinger, Abel Vigard, M. Blackman, Jules Levey, Rudy Weiss, Ben Wirth and Lou Brager.

Among the guests were: Maj. Albert Warner, Sam Schneider, Sam Carlisle, Carl Leserman, Herman Starr, Mort Blumenstock, Stanleigh P. Friedman, Harold S. Bareford, R. W. Perkins, Miles Alben, H. Levinson, Morris Ebenstein, Joe Hummel, Karl Macdonald, Roy Haines, Ben Kalmenson, Al Schwalberg, Arthur Sachson, Arthur J. Siegel, T. J. Martin, W. S. Halliday, Frank L. Gates, Barney Klawans, Herman Levine, Max Friedman, Sol Bragin, Alex Halpern, Frank Damis, Max Hoffman, Lester Krieger, Harry Feinstein, George Crouch, Ralph W. Budd, A. C. Brauninger, Mike Dolid, Jake Schwartz, Frank Marshall, Don Sherwood, W. G. Wallace, Martin F. Bennett, Harry Kaplowitz, Moe Henry, Dan Triester, Lou Siegel, Ray Hewlett, Harry Kaestner, Joe Tisman, Leonard Ormaner, A. Rockvam.

Import Restrictions Fail To Hit Canadian Industry

Montreal—Canada's film industry is not worrying over the import restrictions in the "baby budget" just announced, the feeling being that there will be no adverse effect. Films are not listed among the import commodities banned, and distributors have no fear that restrictions will be placed on them.

Canada's few film producers would be affected by the ban on cameras were it not that they are well supplied with apparatus which will probably last them beyond the end of the war. Radio receiving sets, phonographs, graphophones, gramophones, but not cylinders or records, brass band instruments, musical instrument cases and even bagpipes are on the list of articles prohibited entry from other than the sterling block of countries.

In the event of a shortage of motion picture cameras, it is worth noting that the Minister of National Revenue has authority to permit the import of articles otherwise prohibited if he should deem wise to do so.

Variety Club Sets Frolic

Boston—The Variety Club, once the Friars, will hold a New Year's Eve Frolic at Hotel Somerset in Boston. Tickets and reservations are in charge of Harry Goldstein.

Drop "Big Five" from Griffith Trust Suit

(Continued from Page 1)

Texas subsidiary, RKO Radio Pictures, Vitagraph and Paramount.

Remaining defendants in the suit include Griffith Amusement Co., Consolidated Theaters, Inc., R. E. Griffith Theaters, Inc., and Westex Theaters, Inc., and the "Little Three"—UA, Universal and Columbia.

Similar dismissals are expected in the Schine and Crescent Amusement Co. anti-trust cases shortly.

44 New Members Give Ascap New High Total

New high mark in Ascap's membership has been established with the addition of 44 names to the roster, it is announced by Gene Buck, president. This makes 139 new members to join Ascap thus far this year, the largest number in any year since the Society was founded in 1914, and brings the total membership to 1,306 including 1,166 composers-authors and 140 publishers.

Nickel More for NWMP

Cleveland—NWMP is being shown at Loew's State at prices duplicating the 5-cent advance for "Boom Town."

Better than

"HE STAYED FOR BREAKFAST"



A COLUMBIA PICTURE

UA Seeks Dismissal Of Goldwyn Suit

(Continued from Page 1)

tract, claiming that Goldwyn had failed to comply with a previous Court order which directed him to amend his complaint.

Judge Conger reserved decision after hearing the argument and an application of Goldwyn's to fix a date for an examination before trial of Alexander Korda. Korda's examination will be set for some time after the Court hands down a ruling on UA's move to dismiss.

Judge Conger directed that a deposition of Korda be taken on the Coast in the event that the producer could not conveniently appear in New York. Raftery termed Goldwyn's 160-page complaint as being completely repetitious.

Third Interest in Hart Play May Go to Para.

(Continued from Page 1)

under the Dramatists Guild's new basic agreement and represents the first stage attraction acquired by Paramount since the agreement became effective on Nov. 15.

"Lady in the Dark" opens in Boston on Dec. 30 and will be brought to Broadway in mid-January.

Murray Back at Mono. As Albany Office Mgr.

Albany—Back to his old desk this week came William J. Murray as office manager of Monogram's exchange, opened here last Spring. Murray was office manager for Grand National here before transferring to Buffalo when Monogram took over the suite.

Murray's predecessor here, Mitch Panzer, tendered his resignation to franchise holder Nate Sodikman last week. Panzer drove to Florida this week to remain until after the first of the year when he will return to film row in another capacity.

Murray, here for years with GN, served for a time as manager of the Auto Vision Theater outside Rensselaer.

Male Choruses Appear With "Bitter Sweet"

Rochester—As a special feature for the showing of "Bitter Sweet" at Loew's, Lester Pollock has booked the male chorus of the Liederkranz Club and the University of Rochester Glee Club to sing on the stage Wednesday night.

Warren Jones with B & K

Chicago—Warren Jones, formerly booking manager for the RKO circuit here, is now associated with Balaban & Katz in the booking department, taking the late Max Turner's place.



• • • THOSE three witches in Bill Shakespeare's "Macbeth"..... never cooked up any cauldronic concoction..... quite as potent as the promotional potion formulated by the five publicity wizards of Loew's Rochester (N. Y.) Theater..... in behalf of "The Philadelphia Story"..... this week's new attraction..... We have on our desk-top a resume of the special campaign..... which runs the gamut from newspapers, cop. ads, radio tie-ups and distribution of printed accessories..... all the way to ingenious stunts..... One of the latter..... we know not whether it was devised by one or all of the Messrs. Lester (manager) Pollock, G. (assistant manager) McGunnigle, A. (student assistant manager) Leonard, L. (artist) Edwards, and J. (Metro representative) Gilmore..... but it sure grabbed space in the Democrat & Chronicle..... and here's the angle:.....

• • • ON the premise that newspapers are particularly accentuating youth in their columns.....—what youth does, what it thinks, and how it reacts to problems of today..... the Loew's Rochester wizards invited six boys and six girls..... all campus leaders at the University of Rochester..... to a private screening of the pic at a small local theater..... Support of Managing Editor Joe Adams was enlisted for a yarn describing the students' ideas as stimulated by the theme of the new Metro movie..... anent what they thought of present moral standards, etc..... Editor Adams assigned a staff writer and a photographer..... who got such good human interest material..... that "The Philadelphia Story" was decidedly the Rochester story.....

• • • SPEAKING of the moral angle..... "Chi. Censors Decline to Look at Nudist Pix" was a headline in your favorite trade paper yesterday..... Oh, Mister Ripley! ! !.....

• • • FROM Oklahoma City, Okla., issues word that lots have been cleared and construction started this week..... at the corner of South Hudson and Pottawatomie (no connection with the musical comedy university of "Too Many Girls")..... on the Variety Club Health Center..... The building will be constructed at a cost of \$30,000..... and is expected to be completed by the latter part of January..... Yep, Tent No. 22, Variety Club of Oklahoma City, is sponsoring the health center as its charity.

• • • STUFF:..... The artists of the Metropolitan Opera Co. have been invited to attend tonight's performance of Esperia Film's new opus, "Regina della Scala" (glorifying the famous opera house of Milan), at the Cine Roma Theater..... That new mosaic plaque in John Ebersson's outer office is quite a nifty job..... The Lincoln (Neb.) Journal is keeping Barney Oldfield's Sunday movie column, even though he's in the U. S. Army (the local film reviewing has been turned over to Dean Pohlenz)..... Sam Germaine, booking mgr. for 20th-Fox in New Haven, and Mrs. Germaine were tendered a surprise 25th wedding anniversary dinner at Kaysey's with 50 friends in and out of the industry presenting a gift of china.....

• • • OVERHEARD at the Astor Bar..... (and it wasn't Pete Harrison or George Skouras either)..... Patron—"What kinda wines have you got?"..... Bartender—"All Kinds, Sir"..... Patron—"Okay, I'll take a large-size Italian with a little Greek for a chaser!".....

Boston Testimonial Honors Steve Broidy

(Continued from Page 1)

last night's testimonial banquet given Steve Broidy. The huge banquet room of the Hotel Statler was filled with friends of Steve who leaves at once for the West Coast to assume his new duties as sales chief.

Hy Fine presided as toastmaster and introduced various speakers including Eddie Morey, of Republic, who, on behalf of the Variety Club, presented Broidy with a handsome plaque, luggage and other gifts.



STEVE BROIDY

Other speakers who told of the high esteem in which Broidy is held locally and elsewhere included Abe Yarchin, Morey Goldstein, chairman of the testimonial dinner and who is himself soon to leave for New Haven to accept promotion there as Metro manager for that district; Martin Mullins who succeeds Broidy as head of the Variety Club, Billy Kelly and Sam Pinanski.

Others at the head table were Pat Breen, Nat Furst, Major Pat Healey, state censor; Joe Levenson, Herman Rifkin, Murray Weiss, Ben Welansky.

Maurice Wolf, division manager for M-G-M, paid tribute to Broidy and as a former and long-term president of the Friars Club. Toastmaster Fine included in his remarks a fine tribute also to Wolf and to Marty Mullins, both of whom were charter members and organizers, with several others of the club.

Broidy told of his pleasure at having served in this area and of his delight in the work of the Variety Club and his regret at leaving his friends here.

During the entire afternoon preceding the dinner Film Row in Boston was filled with friends of Broidy who called to wish him well in his new and wider field.

Allen, New Bedford, Burns

New Bedford, Mass.—Fire destroyed the 35-year old Allen Theater here and damaged seven adjoining stores, causing total loss of \$200,000. The fire started in the projection room and quickly spread throughout the 1,000-seat house. The theater's loss was estimated at \$75,000.

Pathe Film to Pay 30c

The Board of Directors of Pathe Film Corp. has declared a dividend of 30c per share on its common stock, payable Dec. 30, to stockholders of record Dec. 10.

Radio Giveaways Hit Grosses in Havana

Havana (By Air Mail)—Flood of giveaways on the radio here has cut sharply into film theater grosses recently, with exhibitors frankly finding the competition too much.

Giveaways range from cash to wearing apparel and foodstuffs, and thrifty Cubans are sitting with their ears glued to home receivers.

Improved quality of radio shows is another factor.

Electric Appliance Night In 16 Iowa, Ill. Theaters

Davenport Ia.—Sixteen houses represented in the Quad-Cities Theater Managers Association have inaugurated a new one—Electric Appliance Night. It's a co-op tieup with a power company. Houses are in this city and three Illinois spots, Rock Island, Moline and East Moline.

F & M, Station KMOX Tieup

St. Louis—The Fanchon & Marco interests and KMOX, local CBS outlet, will present seven different local acts at the Fox, a 5,000-seater deluxer, each night commencing Friday and running for seven nights. Nightly winners will be used in a special Christmas week show at the Fox. Will Osborne and his band will also work in the show.

Movies, Et al, Lick Stock

Birmingham, Ala.—Stock performances at the old Jefferson Theater, opened after 10 years of darkness, started off with a big enough bank, but petered out in the second month. Reason: Too much competition from movies, state fairs, concerts, and football.

Joseph M. Gaites Dies

Boston—Joseph M. Gaites, 67, former Broadway stage producer and latterly co-director of the Copley Theaters, Inc., here, died yesterday in the Deaconess Hospital where he had been a patient for the past three weeks. For 14 years he was associated with the Shuberts. He is survived by his widow and two step-children.

Shirley Vandergrift Better

Pittsburgh—Shirley Vandergrift, nine-year-old daughter of the popular Ad Sales Manager for 20th Century-Fox here, is recuperating from an emergency operation for acute appendicitis at the Passavant Hospital here.

First Legit. Since 1927

Montgomery Ala.—Second attraction in this city's legit. season, first since 1927, will be Katharine Hepburn starring in "The Philadelphia Story," on Jan. 23, according to William Wolfson, local manager of Alabama Theaters, Inc.

REVIEWS OF SHORT SUBJECTS

"Eugene, The Jeep"
Paramount Fair Cartoon 7 mins.

Popeye is the recipient of a Jeep named Eugene in this cartoon. A note with Eugene informs the redoubtable sailor man that the Jeep must sleep out of doors. Popeye builds a crib, but each time he puts Eugene in the crib he finds him back in his own bed before he gets there himself, although the door is closed. Finally Popeye resigns himself to sleeping in the Jeep's crib. Short is a Max Fleischer production.

"Rodeo Dough"
Metro Hollywood Stuff 10 mins.

Mary Treen and her sidekick, Sally Payne, are trying to hitch hike their way home to Kokomo when they get involved in a rodeo. They meet several stars accidentally, win the prize money and come out of the rodeo with whole skins. There are several laughs in the subject, and a number of Hollywood personalities are paraded across the screen to interest the movie fans.

"Marine Round-Up"
Paramount Entertaining Short 10 mins.

Collection of some of the denizens of the new marine studios in Florida provides interesting and entertaining material for this short. Capture of a huge tiger shark, a porpoise and 2,200 pound manta ray will provide plenty of thrills and chills for audiences as the attendants get right into the tanks with these dangerous deep sea denizens. Ted Husing gives the commentary.

"Seeing Is Believing"
Paramount Educational Short 11 mins.

First half of this short depicts the radical changes brought about in agriculture in this country in the past generation, showing many of the new and amazing farm implements in common usage today. Sec-

Omaha Musicians Re-elected

Omaha—All officers of Local 70, AFM, were re-elected for 1941. They are: Peter J. Christman, president; Ernest Nordin Sr., vice-president; Harold E. Pace, recording secretary; M. M. Chaloupka, treasurer; Fred Borghoff, sergeant at arms. Directors are Arthur Randall, Frank J. Elias, Emil Hoppe, Marvin George and Len Gamet.

Opens Amusement Bureau

Montgomery, Ala.—The Alabama Amusement Bureau has been opened here by David Roth, former Keith performer, with headquarters at Fenner and Beane's on Commerce St.

Betty Cunningham Ill

Pittsburgh—Betty Cunningham, cashier for the local Republic exchange, is confined to Mercy Hospital here for an appendectomy.

ond part of the subject deals with a trip down the Salmon River by a group of scientists, who have a hair-raising ride in small boats down one of the roughest rivers in the world. Short is educational and highly interesting.

"Unusual Occupations"
Paramount Interesting Subject Matter 11 mins.

Latest release in this series opens with an unusual chewing gum method of creating pictures. Then it depicts a new public playground in New Mexico; a non-profit labor saving mechanical valet; a man who is an expert embroiderer; and the subject closes with a highly interesting sequence dealing with the Colorado Beaver Control System. The industrious animals are transported by forestry agents to various streams which need to be dammed for conservation purposes, and the beavers prove to be of great help to the state.

"The Lonesome Stranger"
Metro Extremely Funny Cartoon 9 mins.

The characterizations are funny and the action is even funnier in this cartoon, with the reel one of the funniest short subjects of this type seen in some time. Hugh Harman produced and the subject is in Technicolor. The Lonesome Stranger finally subdues the notorious Killer Diller boys, bad men extraordinary, with results that will get laughs from any audience.

"With Poopdeck Pappy"
Paramount Amusing Short 7 mins.

Popeye has a considerable amount of trouble with his father, Poopdeck Pappy, in this reel. The old coddler insists on going out at night and raising a little Cain despite Popeye's exhortations and attempts to keep him at home. Pappy finally flies the coop again and Popeye wakes up to find himself tied up. Max Fleischer produced.

Attaches Form Social Club

Montgomery, Ala.—Employees of the Paramount Theater have organized a social club with William Wolfson, local manager of Alabama Theaters, Inc., as honorary president, and the following other officers: Cecil Brown, president; Donald Long, vice-president; Bob McDonald, secretary-treasurer. The club plans a dance and banquet late in December.

Joins U. S. Film Service

Albany—Lee Beecher, formerly with Paramount here, has joined the U. S. Film Service as booker under Jim Martell.

Weber Opens Own Offices

Daniel A. Weber, formerly associated with Emil K. Ellis, is now practicing law independently at 342 Madison Ave.

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD

HAROLD LLOYD has bought screen rights to "My Favorite Story," an original for the screen written by M. Coates Webster and will appear in it as a civilian conscription recruit. He expects to put it into work within the next three months and is negotiating for a releasing outlet.

In each of his last three pictures, George Murphy has worn a uniform that is completely foreign to his everyday dress. In "Public Bed. No. 1," he wore the uniform of a waiter and bellhop. In "Little Nelly Kelly," he played the role of a cop, while in "A Girl, A Guy And A Gob," he plays the entire picture in sailor's uniform.

JOHN M. STAHL'S first production under his Columbia producer-director contract will be "Our Wife" instead of the once announced "The First Woman Doctor." Jean Arthur and Melvyn Douglas will be the stars. Film will be founded on a play by Lillian Day and Lyon Mearson.

GARY COOPER will report at the Warner Bros. studio on Jan. 2 for the leading role in "Sergeant York." Warners' deal with Samuel Goldwyn gives the latter call on the services of Bette Davis whenever he wants her for "The Little Foxes."

JULES LEVEY is negotiating with Bobby Crawford for screen rights to "Separate Rooms," current Broadway success, which he would produce under his Universal contract.

D. ROSS LEDERMAN has been assigned by Warner Bros. to direct "Murder on the Second Floor."

REPUBLIC has changed the title of "False Witness" to "Arkansaw Judge" and has cast Roy Rogers, the Weaver Brothers and Elvira, Pauline Moore and Vida A. Borj in it. The studio has assigned Erle Kenton to direct the next Higgins family comedy with Roscoe Karns and Lois Ransom.

CAROL HUGHES gets the feminine lead in RKO's "Scattergood Baines" in which Guy Kibbee will play the title role. Christy Cabanne will start directing the film on Friday.

WILLIAM POWELL will play opposite Greta Garbo in her next Metro production, according to information emanating from that studio. George Kukur is slated to direct.

METRO has retitled "Four Cents a Word" and it is now called "Fools Rush In."

WALLACE CHADWELL, Bob Walburg and Betty Brook have been engaged by Columbia for "Legacy," in which the leading roles are played by Warner Baxter and Ingrid Bergman. Gregory Ratoff is directing.

METRO will team Robert Montgomery and Ingrid Bergman in the James Hilton story, "Rage of Heaven," Robert Sinclair directing.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Give Us Wings"

with Billy Halop, Huntz Hall, Bobby Jordan
Universal 62 Mins.

"DIFFERENT" STORY HAS CONSIDERABLE ACTION, FAIRLY FAST PACE AND A FEW GOOD LAUGHS.

The Dead End Kids and Little Tough Guys team up in a topical subject in this Universal release with fairly entertaining results for the program trade. Crop dusting by plane provides the story with a plot, a topical subject that is out of the ordinary. The kids in the picture hold up their end and the film has been given a fairly fast pace.

Billy Halop, Huntz Hall, Gabriel Dell, Bobby Jordan, Bernard Punsley, Wallace Ford, Anne Gwynne, Victor Jory and Shemp Howard head the cast. Direction is handled by Charles Lamont and the screenplay was written by Arthur T. Horman and Robert Lee Johnson.

Halop, Hall, Jordan, Punsley and Dell are youthful mechanics at an airport, anxious to become flyers. Jory, a sharpshooter, gets the kids to work for him as "dusters," flying decrepit old planes that are death traps. They have had some experience from Ford, superintendent of the airport, but he puts his foot down on their accepting the job and threatens to quit. However, Jory gets Jordan to dust a nearby plantation and the boy is killed. Losing his nerve, Jory tries

to make a getaway in a plane but Halop follows him in another plane and forces him to earth by dusting him, with Jory turned over to the law by the other kids.

CAST: Billy Halop, Huntz Hall, Gabriel Dell, Bernard Punsley, Bobby Jordan, Wallace Ford, Victor Jory, Anne Gwynne, Shemp Howard, Milburn Stone, Harris Berger, Billy Benedict.

CREDITS: Associate Producer, Ken Goldsmith; Director, Charles Lamont; Screenplay, Arthur T. Horman and Robert Lee Johnson; Original Story, Eliot Gibbons; Cameraman, John Boyle.

DIRECTION, Adequate. PHOTOGRAPHY, Good.

Robertson Will Manage Keith's at Syracuse

Syracuse — Franklin Robertson, recently with NBC in New York, comes here as manager of RKO-Schine Keith's under City Manager Harry Unterfort.

Irving Cantor moves up from assistant at Keith's to the Palace in Eastwood. Richard Feldman, assistant at the Strand, goes temporarily to the Eckel. Strand goes dark until Christmas.

"Dark Streets of Cairo"

with Ralph Byrd, Sigrid Gurie, George Zucco
Universal 59 Mins.

INCREDIBLE CRIMINAL YARN WITH EGYPTIAN BACKGROUND IS JUST FAIR PROGRAM OFFERING.

An Egyptian background, a few fairly well-known "names" and a moderate amount of suspense and action is all this picture has to offer. As a spot offering for the program trade the picture will serve as a filler, but that is about the limit of its scope. The background is replete with secret tunnels and trap doors as well as sinister characters, but the plot is too hokey for even the most glib filmgoer to swallow.

Ralph Byrd, Sigrid Gurie, Eddie Quillan, and George Zucco head the cast. Among the supporting cast are Rod La Rocque, Katherine DeMille, Sig Arno, Yvonne Mollot, Lloyd Corrigan and Henry Brandon. Leslie Kardos directed and Alex Gottlieb is responsible for the original screenplay.

Byrd and Quillan are attached to an American expedition that has just uncovered the "seven jewels of the seventh Pharaoh." Zucco, leader of a group of patriots plans to steal the jewels to prevent their leaving the country, but he also plans to double-cross his henchmen and sell them

to a wealthy Swedish nobleman, Corrigan. Corrigan and his niece, Miss Gurie, arrive in Cairo the same time the expedition leader is murdered and the jewels are stolen. Suffice it to say that Byrd gets the girl, the jewels are recovered and Zucco gets just deserts.

CAST: Sigrid Gurie, Ralph Byrd, Eddie Quillan, George Zucco, Katherine DeMille, Rod La Rocque, Sig Arno, Yvonne Mollot, Lloyd Corrigan, Henry Brandon, Nestor Paiva, Dick Boteller, Steve Garay, Wright Kramer.

CREDITS: Associate Producer, Joseph G. Sanford; Director, Leslie Kardos; Original Screenplay, Alex Gottlieb; Cameraman, Elwood Bredell; Editor, Paul Landers.

DIRECTION, Adequate. PHOTOGRAPHY, O. K.

Four Springfield Nabes Offer Cooking Schools

Springfield, Mass. — Four nabe theaters here, Liberty, Strand, Phillips and Jefferson, will conduct cooking schools. Each theater will have three sessions and prizes include food baskets, recipe files and an automatic gas range given at each theater. Elizabeth Emery, home economist, will conduct the classes. There is no increase in admission.



THE NAME *Tékla*
MEANS "WORLD'S FINEST" IN
CULTURE PEARLS
(PRODUCED IN THE LIVING OYSTER)

World's finest as applied to Tékla Culture Pearls means simply this—that out of every hundred culture pearls gathered from the cultivated oyster beds of the Orient, only one will ordinarily prove of sufficient excellence to warrant a presentation by Tékla... It is from a collection of real pearls of such exclusive and select quality that Tékla invites the smartly dressed women of the cinema world to select the adornment supreme. Tékla Culture Pearls are offered in exquisitely matched necklaces, also in rings, bracelets, earrings and other jewel pieces, mounted to special order if desired.

608 FIFTH AVENUE at 49th STREET
(ADJACENT TO ROCKEFELLER CENTER)

Philly Court May Okay Money Games

(Continued from Page 1)

and "Cash Quiz," in his chambers yesterday.

The two games, claimed to be games of skill, were played, city solicitor James Francis Ryan and reporters participating and Ryan came out the winner in one of the games.

"Zingo," formerly played over the radio in a newspaper promotion, makes use of sounds, while "Cash Quiz" uses cartoons in a question and answer game. The games, under the test, had been run at two local houses and will continue until the decision is handed down. Money prizes are used. If the decision is favorable, it would mean the first legal use of a money game in this area in many years.

David W. Yaffe is attorney for the two games.

Loew Board Meets Dec. 11; Extra Dividend Is Talked

(Continued from Page 1)

tion of such action has been made by board members, it is known that 1940 has been a good year and Wall Street sources are of the opinion that an extra dividend is in the offing.

Observers estimate that earnings will be equal to around \$4.75 for its fiscal year ended Aug. 31, while the current quarter is estimated to net \$1.40.

Minneapolis Operators Get Wage Cut Demands

Minneapolis — Northwest Allied, through its Wage Scale Committee, has demanded that the local operators union take a cut of 10 to 15 per cent in scale.

Draftees Help N. B. Houses

Frederickton, N. B.—Establishment of a draft training center here by the Canadian defense department has pepped up business considerably at the two local theaters, Capitol and Gaiety. Owned by W. W. O. Fenety.

"Convoy" Debut In Frisco

San Francisco—U. S. premiere for "Convoy," British pix being distributed here by RKO, has been set in for the Golden Gate theater here on Dec. 11. Run will be a pre-release engagement, no national release date having been fixed as yet.

Threat?

Omaha—Best laugh on a marquee here in a long time was on the Brandeis Theater front:

"You'll Find Out"
"I'm Still Alive"

"To B or Not to B," Muses Colonel Still; You Guess Where Critic Oldfield Ends Up

Ft. Crook, Neb.—Col. K. M. Still, who commands the 3rd infantry here, must have been influenced in his assignment of Barney Oldfield to duty by his civilian occupation. Oldfield is a reserve captain and was called up a week ago.

When the colonel heard he had made a living by seeing and reviewing 2,500 movies in the past five years for the Journal, in Lincoln, Neb., he immediately assigned him to B company.

Film Co. Earnings Moving Up Costs Adjusted; Attendance Increasing

(Continued from Page 1)

Co., members of the New York stock exchange.

Peabody's weekly market letter, prepared by J. H. Lewis, points out that the decline in foreign income, without a commensurate increase in domestic income, brought about the problem of adjusting downward production costs, particularly in the form of salaries.

Adjustment of costs to smaller grosses is significant because of the nature of the business, the report asserts, adding that "about 50 per cent of production costs are of a fixed nature such as the story, itself, locations, costumes, etc."

Fixed Costs Pared Down

"Another 40 per cent," it continues, "is estimated to be absorbed in salaries for actors, cameramen, etc. It takes time to adjust these latter costs downward. A start has been made in the last year. Even the more obviously fixed costs mentioned above have been pared. For instance, Loew's has spent \$5,000,000 less on production during this year than during last year. These reductions spell out a more balanced relation between lowered income and costs resulting in a higher net income. In other words, motion picture companies have recognized the gravity of their situation and have attempted and are attempting to meet it.

"Secondly, when the decline in foreign revenues first hit the industry, amortization schedules were not tuned to reduce income, since a large percentage of the costs were allocated to foreign operations. Amortization schedules had to be adjusted to the new situation, meaning that a higher percentage of amortization costs, which are the cost of production, had to be applied against domestic earnings. Initial repercussions on earnings were severe. But the adjustment only has to be made once. Earnings comparisons from now on should be more favorable. Moreover, other costs, as explained above, have been so reduced as to be some offset against the increased amortization charges.

Beneficial Effect Substantial

"Lastly, a recent increase in attendance at movies has in part compensated for the decline in foreign income. As our national defense program gets under way we may expect an accelerating rate of increase in attendance. The beneficial effect

50-50 May be New "Dictator" Terms

(Continued from Page 1)

terday by Arthur W. Kelly, vice-president of United Artists in charge of distribution. While Charles Chaplin has not yet given official approval of the plan, Kelly is of the opinion that the producer-comedian will agree.

Increased admission prices for "Dictator" will not be compulsory nor will United Artists ask exhibitors to raise their scales, Kelly said. Some theater men, however, have asked for the right to boost the scale.

Price clearances agreed upon for the special engagements will be cleared up by negotiations, Kelly said.

Keystone Opens In Philly

Chicago — C. J. Smith, has been named manager of the newly opened Philadelphia office of the Keystone State Amusement Circuit. M. Thudium succeeds him as manager of the Kansas City office.

Among the larger companies, it contends, Paramount's foreign income was in the 10 per cent bracket; Warners, 25 per cent; Loew's, 25-30 per cent; 20th Century-Fox, 25 per cent, and Columbia, 30 per cent.

26 Years of Progress

Twenty-sixth Anniversary and Annual Holiday number of Greater Amusements will be published under date of Dec. 20.

Replete with unusual and informative features, graphically presented, this issue will mark a new high in film trade publication.

Make Your Reservations Now

GREATER AMUSEMENTS

Lumber Exchange . . . Minneapolis

UA Will Continue Present Profit-Sharing Setup

UA Relations with Goldwyn Improved, Says Silverstone On Return from Hollywood

(Continued from Page 1)

consent decree in the New York equity suit.

While admitting that the new ruling on selling in blocks of five may be workable, Silverstone said he believed the inclusion of three or four weaker pictures with one good one in a block would have a bad effect. Quality would be raised if each picture were sold on its merits and the revenue would be greater, he asserted. The plan has worked successfully in England and there is no reason why it should not be practical in this country, he added.

Among other things revealed by Silverstone at a press conference yesterday were the following:

(A) A plan whereby UA producers would make only one picture each next season is being considered.

(B) Negotiations are under way for four more producers to be added to the UA roster. (This confirmed a story published in THE FILM DAILY Nov. 29).

(C) Every member of the UA force in England will receive a Christmas bonus in recognition of their work under trying conditions.

(D) The present profit-sharing plan of the company will be continued.

(E) A better feeling and understanding between Samuel Goldwyn and UA prevails, indicating a possible settlement of the Goldwyn suit against the company.

A better quality program should result from each producer concentrating on only one picture, Silverstone said. Under the present setup, UA's lineup for the 1941-42 season would include 15 pictures, although additional producers, of course, would increase the schedule. Silverstone said discussions had been held with Gene Towne and Graham Baker as possible producers, while talks also have been held with Robert Sherwood. Deals will depend on the kind of a setup each can offer to the company.

Will Seek New Talent

Silverstone explained that the UA producers had formed a committee, with Walter Wanger as chairman, for the purpose of working more closely with the home office and the sales staff. In addition, the group will co-operate in discovering new talent. As to the producers' participation in sales policy, this issue is expected to be worked out early in January when Silverstone and Arthur W. Kelly, vice-president in charge of distribution, go to the Coast and discuss the issue with the men, personally. At that time a

WHO'S WHO IN HOLLYWOOD

• • • Introducing Interesting Personalities • • •

BERNARD VORHAUS. Producer-director. Born Dec. 25, 1904, in New York City. Was graduated from Harvard University, Magna Cum Laude, with honors in English, in 1925. Has an A.B. degree. Took post graduate course in literature. His first job was as a writer for Harry Cohn in 1926-27 in the then quite small Columbia Pictures Company. Received an unusually concentrated experience writing and almost every other phase of production work. Wrote original story for Columbia entitled "Steppin' Out" that proved unusually successful. This brought him writing assignments from M-G-M and subsequently from Paramount. In 1932 began directing in England and in some cases acted as producer as well, with such stars as Ida Lupino, Merle Oberon and John Loder. The pictures averaged unusually high international grosses among British productions and he was given the opportunity of starting a production company of his own. When most production was suspended in England, he accepted an assignment from Republic as Producer-Director. Vorhaus directed, aside from the Republic Pictures "Tenth Avenue Kid" and "The Refugee," four films for RKO release among which were two of the Jean Harlow-Holt "Dr. Christian" pictures. Recently Vorhaus completed "Three Faces West" for Republic and is currently preparing, as producer-director "The Lady From New Orleans" and "All Night Program" for Republic.



"Miss Bishop" Premiere In Lincoln on Jan. 7

Lincoln, Neb.—Premiere of Richard A. Rowland's "Cheers for Miss Bishop" will be held in Lincoln, Jan. 7. This is the hometown of authoress Bess Streeter Aldrich.

Added sales point is the fact that most of the crowd stuff and backgrounds were actually filmed at the University of Nebraska here. Preliminary arrangements were set by Murphy McHenry, Rowland's publicist, who came on from the Coast for a half-week stay.

Kalmenson Returns to N. Y.

Ben Kalmenson, Warners' Western and Southern sales manager, returned yesterday to the home office from a two weeks' trip to the company's Los Angeles Exchange where he conferred with Henry Herbel, West Coast district manager. Discussions included plans for the forthcoming "20th Year For Sears" Drive which gets under way Dec. 22.

policy will be formulated that will be best for the producers on the questions of trade shows, selling in advance of release and other matters.

Co-ordination of releases so that a number of pictures will not be delivered at one time and a system whereby similarity in story material will be avoided also are to be worked out by the producers.

Aim for Domestic Market

Silverstone said that coming pictures must be designed for the home market. Even when the war is over, he explained, there is no telling what the foreign markets will offer and the industry can't rely on a re-

Jan. 10 May be Release Date for Hepburn Film

Metro has set Jan. 10 as the tentative release date for "Philadelphia Story" which will have seven pre-release engagements. Pix starts tomorrow in Rochester, Providence, Louisville, Cincinnati, Reading and Milwaukee and, as printed yesterday in THE FILM DAILY, goes into the Music Hall here Dec. 26.

Ivens, Ferno Get \$25,000

Suit of Joris Ivens and John Ferno against New York University and the Alfred P. Sloan Foundation was settled yesterday in the New York Supreme Court for \$25,000. Fitelson & Mayers, plaintiffs attorneys, revealed. Complaint claimed wrongful discharge of plaintiffs, who had been employed to produce two educational pictures for the defendants.

Name Passman City Manager

Boston—Ben Passman has been named City Manager by the E. M. Loew Theaters.

turn of overseas business immediately.

In regard to Goldwyn, Silverstone said he could not predict the outcome of the producer's court action for the termination of the distribution contract, but he believed that the company's relations with Goldwyn had improved. He said he could see a desire on both sides to get together on an agreement.

Contrary to reports, the stocks of neither Goldwyn nor the late Douglas Fairbanks were offered for sale at the recent stockholders' meeting on the Coast. The disposal of Fairbanks' stock rests with the heirs, he said.

Editor Sees "Joker" In Consent Decree

(Continued from Page 1)

nesses that are accused by government of violating the law.

"The Department of Justice had been proceeding for more than two years against large motion picture producers on the ground that they were monopolistic. . . . This consent decree, instead of breaking up alleged monopoly, freezes it as it is and may even let it expand. The Government agreed not to seek dissolution of the chains for three years. The companies agreed not to expand the chains—except for certain stated exceptions."

"It is in the exceptions that the joker appears. The decree is not to 'prevent any defendant from acquiring theaters or interests therein to protect its investment or its competitive position or for ordinary purposes of business.'"

"For ordinary purposes of business." What else have the producers been buying up theaters for? Atty. Gen. Jackson, it seems, has here signed away all the rights of the Government to proceed against movie monopoly. There is now nothing to prevent the chain companies from buying up all the theaters in the United States. . . .

Selznick Wins GWTW Suit Against Ted Toddy

Atlanta — The Fulton Superior Court yesterday permanently forbade the use of the words "Gone With the Wind" either directly or indirectly in connection with a partially completed movie travelogue depicting the scenes made famous by Margaret Mitchell's novel.

The action ends a suit brought by Selznick International to prevent possible infringement on its rights and ownership of the title, plot, names and characters. The defendant was Ted Toddy, an independent movie producer, formerly of Atlanta, who had proposed to call his travelogue "The Gone With the Wind Country."

Schwartz Leaving Brandt

Arthur Schwartz, chief booker for the Brandt Circuit, has resigned to join his father-in-law in the bakery business. Schwartz will be the guest of honor at a luncheon tendered by his friends at the Astor Hotel Dec. 17.

Loew House Opens Dec. 24

Loew's new American Theater in the East Bronx is scheduled to open Dec. 24. New house has a seating capacity of 2,000.

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

L. 78, NO. 110

NEW YORK, THURSDAY, DECEMBER 5, 1940

TEN CENTS

"LITTLE 3" ASK DELAY IN OTHER SUITS Skouras Sees 1941 As Best U. S. Year Since 1929

Theater Business Certain
To Forge Ahead, Declares
National Theaters Prexy

By GEORGE H. HOLMES
FILM DAILY Staff Correspondent

Portland, Ore.—Take it from Spyros Skouras, prexy of National Theaters, 1941 is going to be the best the U. S. has had since 1929.

Skouras, here from New York on a swing across the country in the interest of Greek war relief, discussed the exhibition outlook at a press conference.



SPYROS SKOURAS

"How do I know that business is

(Continued on Page 10)

\$153,878 Col. Net For First Quarter

Columbia's net profit for the first quarter ended Sept. 28, amounted to \$153,878.41, after all charges and provisions for Federal Income and other taxes.

This compares with a loss of

(Continued on Page 10)

Newsreels' War Footage Gets Feminine Approval

The majority of American women do not think that the newsreels are presenting too much war footage, according to a survey recently com-

(Continued on Page 10)

Sam Dembow Hurt

Sam Dembow, Paramount theater executive, is in La Roy Sanitarium, 40 E. 121st St., recovering from a leg fracture. Dembow was hit by a taxi on W. 46th St. late Tuesday afternoon. He will be away from his office several weeks.

Syracuse Exhibs. Buy Elks Temple in Move To Expand Bingo Games Operating at Rivoli

Syracuse, N. Y.—Fitzner-Bettigole interests have closed a deal with the Onondaga County Savings Bank for the purchase of the Elks Temple and will use its auditorium in conjunction with the Rivoli for Bingo. Games will be played twice weekly, with the Rivoli Theater's present scale of cash awards doubled. Minimum for each game will be \$10. Purchasers of tickets at the Elks Temple will be given a Rivoli admission ticket, good any time. Expanding combo. comprises Mitchell and Joe Fitzner and Effie Bettigole.

Warners and Erpi Call Off Contracts

Washington Bureau of THE FILM DAILY

Hollywood—It was announced yesterday by H. M. Warner, president of Warners, that all existing contracts between Warner Bros. Pictures, Inc. and Erpi, have been discontinued as of Dec. 4 by mutual agreement.

Warner Bros. Pictures, Inc., several years ago discontinued the use of Western Electric recording equipment, but no official acknowledgment of this fact had been made until the

(Continued on Page 4)

Schreiber Conspiracy Suit to Trial Today

Detroit—The suit of Midwest Theaters (Schreiber Circuit) against Co-operative Theaters of Michigan is slated to go to trial today before Federal Judge Pickard.

Suit charges conspiracy, among other matters, growing out of alleged difficulties in booking suitable pictures. Early trial was sought as effect of the suit was held likely to delay buying product at the start of

(Continued on Page 4)

45 State Legislatures Meet Many Expected to Get Industry Measures

Illinois May Outlaw All Theater Games

Chicago—Theater games may be outlawed in Illinois. With Attorney General John Cassidy enforcing state laws against gambling and

(Continued on Page 4)

41 Detroit Houses Dark Christmas Eve

Detroit—Forty-one Detroit theaters yesterday voted to close Christmas Eve regardless of what action may be taken by opposition houses.

Houses which will darken include those of several independent circuits; Fred Delodder, Komer & Goldberg, J. C. Ritter, Barney Kilbride, Cohen Brothers, Jack Krass, Tatu and Petriks Player, Julius D. London, Munz, Robinson Brothers, and Pascoe. Not all houses of all cir-

(Continued on Page 4)

Los Angeles Flu Epidemic Has Little B. O. Effect

West Coast Bureau of THE FILM DAILY

Los Angeles—There has been no appreciable effect on film theater attendance in the Los Angeles sector due to the flu, according to a representative of Fox West Coast. A spokesman for independent exhibitors said there has been the usual falling off of December business due to Christmas shopping.

Only one Hollywood production

(Continued on Page 4)

Would Dispose of N. Y. Action First; Will Point To Heavy Financial Burden

Federal Judge Henry W. Goddard will be asked today by Edward C. Raftery, attorney for Universal and United Artists, to restrain prosecution of all other Government equity suits until the Court has passed on and rendered its decision on the D of J's suit against the "Little Three." If the Court grants the application of UA and Universal, suits against the Griffith, Schine and Crescent circuits will remain in status quo in all likelihood for the period of a year.

Columbia, it was indicated last night, will support the motion, with Louis D. Frohlich, of Schwartz & Frohlich, appearing for the company.

Raftery will argue that the necessity of the "Little Three" defending the three suits now pending against circuits, and possible additional ones filed before decision on the main action, would place a tremendous

(Continued on Page 3)

Para. To Release Blocks in Order

Northwest Allied's protest against a report that Paramount would sell blocks only in order apparently is unwarranted. Barney Balaban, Par-

(Continued on Page 10)

Draft Standard Costs To Cover Arbitration

The Administrative Committee of the American Arbitration Association designated to supervise the mo-

(Continued on Page 4)

New Producing Co.

West Coast Bur. THE FILM DAILY
Hollywood—William H. Pine and William C. Thomas have organized the Picture Corporation of America with Pine as president and Thomas as vice-president in charge of production. "Power Dive" will be the first of three aviation pictures which they will make for release through Paramount. Pine will continue with Cecil B. DeMille.

THE NEWSPAPER OF THE JIM DAILY ALL THE NEWS ALL THE TIME

Vol. 78, No. 110 Thurs., Dec. 5, 1940 10 Cents

JOHN W. ALICATE : : : : : Publisher

DONALD M. MERSEAU : General Manager

CHESTER B. BAHN : : : : : Editor

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FINANCIAL

(Wednesday, Dec. 4)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	9 1/8	9 1/8	9 1/8	- 3/8
Col. Picts. vtc. (2 1/2 %)	9 1/8	9 1/8	9 1/8	- 3/8
Columbia Picts. pfd.	21	21	21	- 1/2
Con. Fm. Ind.				
Con. Fm. Ind. pfd.	8 1/2	8 1/8	8 1/8	- 3/8
East. Kodak	141 3/4	141	141	- 1/2
do pfd.				
Gen. Th. Eq.	11 1/8	11 1/8	11 1/8	- 1/8
Loew's, Inc.	31 1/4	30 1/2	30 1/2	- 3/8
do pfd.				
Paramount	10 1/8	10	10	- 1/8
Paramount 1st pfd.	98	98	98	- 1/8
Paramount 2nd pfd.	10 1/8	10 1/8	10 1/8	- 1/8
Pathe Film	10 1/8	10 1/8	10 1/8	+ 1/8
RKO	2 3/8	2 3/8	2 3/8	- 1/8
20th Century-Fox	5 7/8	5 1/4	5 1/4	- 1/8
20th Century-Fox pfd.	16 1/2	16 1/2	16 1/2	- 1/8
Univ. Pict. pfd.	99	99	99	- 1/8
Warner Bros.	3 1/4	3 1/4	3 1/4	- 1/8
do pfd.	51	51	51	- 1/8

NEW YORK BOND MARKET				
Keith B. F. ref. 6 1/2 %				
Loew's deb. 3 1/2 % 46				
Para. B'way 3 1/2 %				
Para. Picts. 6 1/2 %				
Para. Picts. cv. 3 1/4 47 96	95 1/2	95 1/2		
Warner Bros. deb. 6 1/2 % 92	91 1/2	92	+ 1/4	
NEW YORK CUB MARKET				
Monogram Picts.	1 1/2	1 1/2		
Radio-Keith war.	3-16	3-16	-1-16	
Sonotone Corp.	1 7/8	1 7/8	+ 1/8	
Tatnelcor	1 1/2	1 1/2	- 1/2	
Trans-Lux	1	1		
Universal Corp. vtc.	1	1		
Universal Picts.	1	1		

Correction

Market opinion report indicating increased film company earnings, published yesterday in THE JIM DAILY, was erroneously credited to Peabody & Co. Report was issued by Goodbody & Co., 115 Broadway.

BONDED FILM STORAGE CORP.

1600 B'WAY, N.Y.C. - CIRCLE 6-0081-2-3-4

A COMPLETE RECORD-KEEPING FILM EXCHANGE DISTRIBUTION SERVICE

"Aunt" to 20th-Fox?

West Coast Bureau, THE JIM DAILY Hollywood—Twentieth Century-Fox is negotiating for the screen rights to "Charley's Aunt," current Broadway hit, it was reported yesterday. It was said that Tyrone Power was being considered for the title role in the comedy if the play is purchased.

Buffalo Variety Club Names Officers Monday

Buffalo—Tent No. 7, Variety Club of Buffalo, has elected these canvassen (directors):

Phil Fox, Columbia; Irving Fried, Tri-State Automatic Candy Corp.; Stanley Kozanowski, Rivoli Theater; George F. Hann, Jr., Capitol Theater; Sydney Lehman, UA; Elmer F. Lux, RKO; W. E. J. Martin, dramatic editor, The Courier-Express; Ralph W. Maw, Metro; Sydney Samson, 20th-Fox; Murray Whiteman, Murray Whiteman, Inc.; Melvin Schwartz, Jubilee Theater.

Robert T. Murphy, Shea circuit booker, and retiring chief barker, was nominated as Buffalo's representative on the national board of directors. Jacob Lavene of the Academy, past chief barker, and Lux were named as delegates to the Atlantic City convention in April, 1941, with Samson and Lehman as alternates.

Directors will elect officers next Monday.

Louisville Will Have Two New Pix Houses

Louisville—A city permit for construction of a \$50,000 theater and a \$25,000 store building on Fourth St., near Broadway, principal downtown thoroughfares, has been issued here by the Building Inspector in the name of the Heyburn Estate. Site is about 100 yards from the present Kentucky Theater.

It is reported that a new downtown house also will be built by George Settos of Settos Theaters, Indianapolis, owners of the recently-opened Vogue. The house is expected to operate as a second-run.

Goldwyn Silent on Report UA Suit May Be Settled

West Coast Bureau of THE JIM DAILY Hollywood—Samuel Goldwyn is maintaining his original stand of not commenting on his suit to abrogate his contract with United Artists and refused to make any statement regarding the report that a settlement of his UA suit impends.

Rites for Mrs. Robbins

New Haven—Funeral services were held yesterday for Ruth C. Robbins, wife of A. E. Robbins, Jr., operator with Adolph Johnson of the Strand, Hamden. Mrs. Robbins died at New Haven Hospital after a long illness. Robbins is president of the Hamden Chamber of Commerce.

Wright to be "Lone Wolf" In Policing of Industry

Washington Bureau of THE JIM DAILY Washington—Permanent D of J unit which will "police" the film industry generally and, in particular, keep an eye on the operation of the consent decree will be a one-man proposition for the present.

As first reported in THE JIM DAILY on Nov. 20, the unit will be headed by Robert Wright, special assistant to the Attorney General, who was one of the Government's key men in the preparation of the New York equity suit.

Wright will function as a "lone wolf." Assistants will be assigned him only in the event that he is swamped with exhibitor complaints and unable to handle them.

British Films Council Urges Pix Credit Bank

London (By Air Mail)—The Films Council has made another strong recommendation to the president of the Board of Trade that a credit bank be established for taking care of the financing of film production. New Government plans regulating the film industry are forecast which may further handicap production unless reasonable financing facilities are provided at an early date.

Postponement of such a credit bank, or similar agency, may plunge the industry into the plight in which it found itself after the last war, the Films Council holds.

Next "Fantasia" Opening Is Set for Boston

Next "Fantasia" engagement has been set for Boston late this month. Theater has not been selected officially, although the Civic Repertory Theater is a possibility.

Jack Goldstein, formerly with Paramount and RKO in Boston, has been added to Walt Disney's publicity staff and will work on the campaign there.

"Fantasia" engagement in Los Angeles, previously announced for Dec. 27, has been set back to a later date.

73 Chicago Theater Men Attend Censor Law Confab

Chicago—Seventy-three theater men headed by Jack Kirsch, Clyde Eckhardt and Morris Leonard, attended a City Hall hearing yesterday on proposed changes in the city censor law. Alderman Brody presided. Alderman Dickerson urged that youngsters be prohibited from attending pinked films. Several leading women's clubs were represented. Another meeting will be held next Wednesday.

Girden Under the Knife

Jules Girden, Warner Bros. Home Office executive, will be operated on for a stomach ailment today at the Manhattan General Hospital.

COMING and GOING

WILL HAYS is due back here this week-end from the Coast.

WILLIAM A. SCULLY, Universal sales chief, is expected at the company's Hollywood studios at the week-end for product conferences with Prexy Nate J. Blumberg, who arrived there on Monday, and other execs.

MARVIN SCHENCK is at the Metro for a visit.

BOB BURNS and his wife are at the Waldorf.

WESLEY RUGGLES and his wife are due today from Florida via Eastern Airlines. They fly to the Coast next week.

BUDD ROGERS, vice-president and general manager of Alliance Films, arrives here tomorrow from the Coast.

ED ROSENBAUM, Columbia exploiter head-quartering in Philadelphia, is Winter vacationing in Havana.

CONNIE RUSSELL, singer recently signed by Metro, leaves for the Coast today.

AL SIEGEL goes to the Coast today.

LOUISE CAMPBELL has left the Coast by motor to spend the Christmas holidays in Chicago and will then come to New York to discuss an appearance on Broadway.

HORACE MACMAHON is motoring from Hollywood to Chicago for the holidays and will then return to the Coast.

FRANCIS HARLEY, British manager for 20th-Fox, is expected here next week by Clipper from Lisbon.

GREGORY RATOFF is here from the Coast.

BORIS MORROS is here from the Coast, having visited five cities en route. Before returning to the Coast he will visit most of the other key cities.

ROSEMARY LANE, here from the Coast, headed the stage show at the Paramount yesterday.

Franklin, Syracuse, Drops Games and Boosts Prices

Syracuse, N. Y.—Rap Merriman, operating the South Side Franklin, has tilted prices five cents—new top is 20c—and, following the lead of Sidney Grossman's Elmwood, has discarded games and all giveaways, restricting bills to films.

Pictures-only policy now prevails at four houses—Loew's State, downtown de Luxer, and Kallet's second-run Regent, being the other.

Mrs. Gene Bailey Dead

Cleveland—Mrs. Mary Bailey, wife of Gene Bailey, film salesman, now with Pioneer Film Exchange, is dead. Beside her husband, she is survived by nine children.

FRIENDLY SERVICE
SAVES TIME AND MONEY
AT
**Postal
Telegraph**



CHARGES FOR TELEGRAMS
'PHONED IN APPEAR ON YOUR
TELEPHONE BILL.

Forty-Five State Legislatures Meet

(Continued from Page 1)

loom as a possibility in several states.

All of the re-convening legislatures open their sessions in January except Florida and Georgia. Florida's law-makers assemble on April 4, while the Georgia legislature is scheduled to open its sessions on July 17.

States whose solons meet in 1941 and the date they convene follow:

Alabama, Jan. 10; Arizona, Jan. 9; Arkansas, Jan. 9; California, Jan. 2; Colorado, Jan. 4; Connecticut, Jan. 4; Delaware, Jan. 3; Florida, April 4; Georgia, July 17; Idaho, Jan. 2; Illinois, Jan. 4; Indiana, Jan. 5; Iowa, Jan. 9; Kansas, Jan. 10; Maine, Jan. 4; Maryland, Jan. 4; Massachusetts, Jan. 4; Michigan, Jan. 4; Minnesota, Jan. 3; Missouri, Jan. 4; Montana, Jan. 2; Nebraska, Jan. 3; Nevada, Jan. 16; New Hampshire, Jan. 4; New Jersey, Jan. 10; New Mexico, Jan. 10; New York, Jan. 4; North Carolina, Jan. 4; North Dakota, Jan. 3; Ohio, Jan. 2; Oklahoma, Jan. 3; Oregon, Jan. 9; Pennsylvania, Jan. 3; Rhode Island, Jan. 3; South Carolina, Jan. 10; South Dakota, Jan. 3; Tennessee, Jan. 2; Texas, Jan. 10; Utah, Jan. 9; Vermont, Jan. 4; Washington, Jan. 9; West Virginia, Jan. 11; Wisconsin, Jan. 11, and Wyoming, Jan. 10. U. S. Congress convenes Jan. 3 and Alaska territorial legislature on Jan. 9.

For Part-Time Operation

Rochester, N. H.—New operating schedules have been announced for the Scenic and Colonial theaters, Interstate units here, by William J. Stanton, manager. Colonial will be dark on Mondays, Tuesdays and Fridays. Same bill will play both spots Sundays.

"Papa's Mazurka" Censored

Boston — "Papa's Mazurka" has been deleted by the State Censor to the extent that scene showing girl in bathroom and scene showing girl exposing bare thigh are ordered out for Boston and Massachusetts audiences.



From
THE FILM
DAILY TO
Walt Disney
W. P. Carey
Eugene Eloy David
Virginia Lee Corbin
Sidney H. Algier



● ● ● WITH Xmas just around the corner Jimmy Coston and Charley Ryan of Warners' Chi. zone.....are seeing to it that houses in their jurisdiction.....are gonna be really Christmasy in atmosphere.....—and without going overboard on dough, either.....These gents have suggested to the various WB managers that they decorate their houses about 10 days in advance of St. Nick's drop-down-the-chimney.....and that a properly decorated tree be put up in the lobby.....or two smaller trees on either side of the stage to be lit 'twixt subjects..... Jimmy and Charley stress that the latter trees must be fireproofed..... and this can be done (plus achieving a swell decorative effect) by spraying them with white coldwater paint, easily sprayed on via a Flit gun.....Fireproofing ingredients they point out, are contained in this point.....As to the box office.....a holly wreath is a "must".....

● ● ● ADDITIONALLY, the WB Windy City solons are having all signs this month.....done with red and green backgrounds.....using gold, silver or white for lettering.....and opine that certainly National Screen Accessories will have effective Xmas and New Year 40 x 60 greetings.....The WB org. is strong for Santa Claus parties.....which build good-will and biz.....and circuit's managers find that providing free checking of parcels for patron-convenience is another "must".....

● ● ● ANENT Chicago.....a Loop restaurant during the recent wind and snow storm.....hit on an idea which can well be adopted by pic industry exhibs.....Management had a waitess stand in the restaurant entrance door handing paper napkins to those entering customers wearing eye glasses.....

● ● ● WE'RE not the least bit surprised.....that some of the exhibs. who received the recently-dispatched file folders.....prepared by RKO Radio's Leon Bamberger as promotion for "Convoy".....read the contents carefully.....and sent their copies back to the home office.....thinking they'd received the actual file of originals by mistake.....That's how well done that job was.....It's a rare instance of "letter perfect".....Ned Depinet and his cohorts know exactly how to do a thing right.....

● ● ● STUFF:.....Jimmie (Rialto) Dunn should be mighty happy that Elsie the Borden bovine will trolic on the house's screen ("Little Men" opens there on Saturday) instead of in the lobby.....I. E. Lopert, prexy of Juno Films, declares org.'s initial Fall release will be "Hotel du Nord," with Annabella and Louis Jouvet in star roles, and that opus'll be released within a few weeks.....Jimmy Sileo's daughter, Gloria, 13, (the one who was caught in the Spanish War), just completed a mystery story titled "Footsteps on the Gravel Path".....W. E. J. "Bill" Martin, film critic of the Buffalo (N. Y.) Courier, has been elected a director of Buffalo's Variety Club for a seventh consecutive time (Talk about long-term franchises!).....Pete Latchis, prominent Keene, N. H., theater owner, has been named as local chairman of the Greek War Relief Ass'n., Inc., of New York City, which is raising funds to assist the people in Greece.....

« « « » » » »

"Little Three" Ask Delay in Other Suits

(Continued from Page 1)

financial burden upon the "Little Three." UA and Universal will contend that the issues and Government charges which will be decided on trial against the "Little Three" cover the same ground as those of the collateral suits, and that nothing can be gained from duplicating hearings on these issues.

It will be pointed out to the Court that the very fact that the "Big Five" are being dropped as defendants in these collateral suits indicates that the Government feels that settlement of the main suit has disposed of charges against the "Big Five" on the lesser actions.

At the same time, both UA and Universal will seek an order directing the Government to file a new complaint which would confine its charges to those directed solely against the "Little Three." The amended complaint which the Government today will seek permission to file names all eight defendants and does not distinguish between the companies in setting forth its allegations.

UA and Universal both will insist that fairness to them would require the D of J to state in its complaint those violations which the Government contends have been committed by the "Little Three." Granting of the order would require the Government to drop all allegations referring to theater ownership as an abuse of the anti-trust laws.

"Navy" Re-issue Gives Best Biz in Three Years

St. Louis—Warners' "Here Comes The Navy" opened at the St. Louis Theater here to the highest gross reported by the house in three years. The United States Navy recruiting office co-operated with the theater to plug the local playdate. A full-page layout devoted to a four-ship naval squadron passing down the Mississippi River broke the day after the picture opened, giving added publicity.

Odeon Year's Profit £473,482; Passes Div.

London (By Air Mail)—Although year's profit of Odeon Theaters was £473,482 (as against £509,990 the previous year) the board voted to pass up dividend on the common stock in order to conserve its financial resources in the abnormal conditions prevailing.

Arithmetic Lesson

Charlottesville, Pa.—NWMP at the Boyle Theater here broke all house records for 12 years by playing to 13,693 at advanced prices; town's population is 10,700.

41 Delroit Houses Dark Christmas Eve

(Continued from Page 1)

cuities are affected, however. Move was started by Co-operative Theaters, but is being followed by non-members as well.

Special trailer is being prepared by National Screen Service at cost to present story to public as "in order that our employes may spend Christmas Eve with their families, we will be closed Tuesday. Regular performances will resume Christmas Day."

Illinois May Outlaw All Theater Games

(Continued from Page 1)

games of chance, an East St. Louis court ruled against bookies yesterday which gives the state law enforcement officers still another weapon to eliminate theater games.

Nazi Plan 142 Features For Season of 1940-41

Washington Bureau of THE FILM DAILY

Washington—The American Vice Consul in Berlin has reported to the Commerce Department that 153 films have so far been offered for distribution for the 1940-41 season, compared with about 157 announced for the 1939-40 season, of which 31 were dropped and only 126 actually delivered. Included in the 1940-41 total are: 142 German-language feature films, two long cultural pictures; and nine foreign features, eight of which are Italian.

Rickerfor to Distribute Phonovision in N'Orleans

New Orleans—Phonovision made its trade debut in the Roosevelt Hotel here. The machine which will be handled by A. F. Rickerfor and Associates, was inspected by spot operators but delivery dates are said to be uncertain. Rickerfor operates restaurants, the famous Crescent City Billiard Hall and other establishments.

WEDDING BELLS

Ruth Bobar, M-G-M employe in the Albany exchange, was married to Steve Wilski, Albany Eastern League pitcher, in St. Casimir's church. Attendants were Mrs. L. W. Carignan, Mrs. Wilski's sister, and Stanley Wilski, the groom's brother. Wilski pitched a perfect no-hit, no run game on his 23rd birthday here last September.

Little Rock, Ark.—John H. Rowley, assistant manager of R & R Theaters, Little Rock, and Shirley Goodgame were married.

City of Springfield Acquires Franklin As Municipal Theater Through Foreclosure

Springfield, Mass.—Springfield at last has a municipal theater, by way of the tax title foreclosure route.

The city now has full and undisputed title to the Franklin Theater through a decree of the land court in foreclosure proceedings instituted by the city law department.

The total due the city in taxes and interest, except for the assessment for the current year, with interest, is \$9,087.93. Taxes for this year amount to about \$1,500 more. The foreclosure covered the amounts due in back taxes and is for the balance of the 1933 assessment and all the subsequent taxes up to the present year.

Schreiber Conspiracy Suit to Trial Today

(Continued from Page 1)

the new selling season and trial was first set for July 18 last by Federal Judge Ernest A. O'Brien, but postponement was taken to the September term of court, and then deferred again.

Postponement in July was due to the congested calendar, the judge holding that the trial, which is expected to extend over a month, would take up too much time at the Summer session. Both plaintiff and defendant were ready to go to trial at that time.

Swiss Exhibs. Compete For Old American Films

Zurich (By Air Mail)—Swiss exhibitors are competing with each other for such old American films as are available, owing to the difficulty in shipping new U. S. product into the country and to the practical stoppage of imports from France. Only regular supply of films comes from Germany and German pix there are receiving a strong play, though still behind American product. In most instances old American successful films draw better than the new German product.

More than 50 per cent of the features shown in 1939 were of U. S. origin. Percentage is not so high for 1940. In German-speaking Switzerland American pictures are shown in original versions as it is no longer profitable for the pictures to be dubbed in German for that Swiss area alone. In French-Switzerland, American films are presented with titles in French.

Attendance at important first-run theaters is approximately 20 per cent under that of last year. Production of domestic films is steadily increasing, with a number having been synchronized for the German and French market.

Keye Luke with Count Bernivici

West Coast Bureau of THE FILM DAILY

Hollywood—Keye Luke, star of Monogram's "Phantom of Chinatown," has signed for p.a.'s with the Count Bernivici show opening at the Fox Theater, St. Louis on Dec. 13 with dates at Cincinnati and Dayton scheduled to follow. Negotiations are now under way for the unit to play the State Lake Theater, Chicago on Jan. 10 with "Phantom of Chinatown." Roy Mack is staging the act which includes Anne Nagel and a group of dancers.

Draft Standard Costs To Cover Arbitration

(Continued from Page 1)

tion picture arbitration system met yesterday to draw up the necessary forms to be used in the system. The Association announced that the committee drafted a form to be used by exhibitors in filing a complaint and, in addition, an itemized statement of standard costs to be paid by exhibitors for adjudication of a dispute.

Association officials said that the complaint form had been couched in simple language to enable an exhibitor to fill it out without the aid of an expert. Paul Felix Warburg, as chairman, presided at the meeting of the full committee of nine.

Baires Studios to Enter Production in Argentina

Buenos Aires (By Air Mail)—Baires Studios, owned by Natalio Bottana, publisher of La Critica, largest South American afternoon daily, plan to produce on their own next year. Jacques Constant, French producer-director, has been signed as assistant to Danielo Tinayre, general manager.

Baires plant is located at Don Torciato. At present, its laboratory only is active, making prints required by American distributors.

American League 4-Reeler To be Released on Jan. 1

Chicago—American League's official 1941 film, "Battling Around the American League," will be ready for release Jan. 1. It's a four reeler available in both 16 mm. and 35 mm., with 40 minute running time. Film is for free release, with the provision that no admission charge is allowed for its exhibition.

Huddle on Jersey Tracks

Trenton—First conference was held here this week between the newly appointed New Jersey racing commission and groups interested in securing licenses for construction of tracks, four of which will be allowed under the law. Walter Reade and Bing Crosby are among the picture people who have expressed interest in securing a license.

Astor Premiere in Boston

"Murder at the Baskervilles" by A. Conan Doyle, new Astor Pictures release, will have its world premiere at the Trans-Lux Theater, Boston, today.

Warners and Erpi Call Off Contracts

(Continued from Page 1)

statement yesterday by Warner Bros.

The agreement covers not only Warner Bros. and its subsidiaries both foreign and domestic, but Erpi's subsidiaries as well.

Los Angeles Flu Epidemic Has Little B. O. Effect

(Continued from Page 1)

was forced to shut down, that being "Murder Among Friends" at 20th Century-Fox, which had only half a day remaining for completion of the picture. Directors are shooting around actors who are laid up because of the ailment.

While the epidemic appears to be in a mild form, it is widespread, Los Angeles health officials reporting 55,000 cases and 70 deaths. It is said to be the worst flu attack in the city since 1928. San Francisco reported 358 new cases, none of which were fatal.

Mrs. Jacob Morse Dead

Boston—Film district mourns the death of Mrs. Josephine Morse, widow of the late Jacob Morse and mother of Charles and Reginald Morse, operators of the Kenmore and a score of other theaters of the Morse Brothers chain.



HER HEALTH IS IN YOUR HANDS

Before this child reaches maturity, Tuberculosis may be eradicated from the United States. But remember, she is growing up in a world where Tuberculosis still causes more fatalities between the ages of 15 and 19 than any other disease!

By buying and using Christmas Seals you will enable your Local Tuberculosis Association to continue a year-round fight that has helped to reduce the death rate from Tuberculosis by 75% during the last 33 years! So protect this child—and every child in your community.



**BUY
CHRISTMAS
SEALS**

The National, State and Local
Tuberculosis Associations
in the United States





HOW TO KILL TIME!

M-G-M didn't take any poll—
We're just guessing!
But we believe that the
Average American Family,
Papa, mama, brother and sister,
Want to go to the movies tonight
For real old fashioned (*pardon the expression!*)
Belly-laugh!
May we suggest a screamingly funny film—

Groucho
Chico
Harpo

"MARX BROS. GO WEST"

(*their best!*)

with JOHN CARROLL • DIANA LEWIS • Original Screen Play by Irving Brecher
A Metro-Goldwyn-Mayer Picture • Directed by EDWARD BUZZELL • Produced by JACK CUMMINGS

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Blondie Plays Cupid"

with Penny Singleton, Arthur Lake,
Larry Sims

Columbia 68 Mins.
LATEST IN SERIES IS ONE OF BEST-
ERING IS ENTERTAINING FARE FOR
FAMILY TRADE.

The bumptious Bumstead family has its customary amount of troubles in this release, with amusing results. Offering should get a good reception from the family trade, as it is one of the best in this series to date. In selling the picture, exhibitors have the advantage of having a nationally-known comic strip as the origin of the story, and the same cast is intact. The players are agreeable and capable, the story is amusing and the picture is well paced.

Penny Singleton, Arthur Lake and Larry Sims comprise the Bumstead family. Daisy appears in the picture, and Jonathan Hale, Glenn Ford, Danny Mummert, Spencer Charters, and Luana Walters help the proceedings. Frank R. Strayer directed, with the screenplay put together by Richard Flournoy and Karen De Wolfe.

Penny discovers that Lake has hidden some firecrackers for the fourth of July, and decides that the whole family will spend the holiday at an aunt's place out of town. They get on the wrong train, and after getting off are picked up by Ford and Miss Walters, who are on their way to be married.

Will Wright, Luana's father, arrives in time to break up the marriage and take her home, but Lake and Penny take on the role of cupid with amazing results. Finally, Baby Dumpling saves the day by setting off a stick of dynamite that brings a gusher on Wright's property, with everybody forgiven.

CAST: Penny Singleton, Arthur Lake, Larry Sims, Daisy, Jonathan Hale, Danny Mummert, Irving Bacon, Glenn Ford, Luana Walters, Will Wright, Spencer Charters, Leona Roberts.

CREDITS: Produced by Columbia; Director, Frank R. Strayer; Screenplay, Richard Flournoy and Karen De Wolfe; Based on a comic strip by Chic Young; Cameraman, Henry Freulich; Editor, Gene Milford.

DIRECTION, Good. PHOTOGRAPHY, Good.

"Cash Quiz" Trade Showing

Boston—"Cash Quiz," the new game adopted by many of the M & P and Rifkin theaters will be given an exclusive screening for New England exhibs. Dec. 10 at the local M-G-M offices. Headquarters have been established in Film Row at 40 Church St., with Sam Lind in charge. Lind has signed Loew's Plaza, Worcester; Strand, Winsted; Uptown, Providence; Community, Centredale; Gem, Naugatuck; Jason, East Weymouth; Cameo, Portland, and Cape, South Portland, to begin playing the game around Christmas week.

Now "It's Larceny Street"

Title of "Smash and Grab," produced by Jack Buchanan and released through Film Alliance of the U. S., has been changed to "Larceny Street."

"Missing People"

with Will Fyffe, Kay Walsh, Lyn Harding
Monogram 73 Mins.

BRITISH-MADE WHO-DUN-IT, BASED ON EDGAR WALLACE STORY, IS MODERATELY ENTERTAINING.

Based on an Edgar Wallace story dealing with one of the adventures of J. G. Reeder, the amateur crime expert, this British-made who-dun-it is moderately entertaining screenfare. Story is well concocted and maintains a certain amount of suspense right to the climax; the cast is agreeable and the production value is okay for the budget limitations.

Will Fyffe's characterization of the country gentleman who turns sleuth is a good job, and he gets effective support from the other players. Kay Walsh and Lyn Harding have important roles. Kay Raymond, director, keeps the suspenseful background of the picture a mystery until the final sequence and his characters are believable. Lydia Hayward wrote the screenplay.

Fyffe is tracing the disappearance of a woman and he discovers clues which link her vanishing act with other women who have also disappeared. He believes that Patricia Roc will be the next victim and enlists her aid in trapping the murder syndicate, which he suspects is headed by Harding. Attempts are made on Fyffe's life, but with Miss Roc and Ronald Adams he finally catches Harding with the goods and turns him over to the police.

CAST: Will Fyffe, Kay Walsh, Lyn Harding, Ronald Shiner, Ronald Adams, Patricia Roc, Anthony Holles, Reginald Purdell, Laurence Hanray, Marie O'Neill, O. B. Clarence.

CREDITS: Producer, Charles Q. Steel; Director, Kay Raymond; Screenplay, Lydia Hayward; Based on a novel by Edgar Wallace.

DIRECTION, Good. PHOTOGRAPHY, Good.

Co-Star Gable, Lana Turner

West Coast Bureau of THE FILM DAILY
Hollywood — Metro will co-star Clark Gable and Lana Turner in "The Uniform" by Hans Kafka. Hunt Stromberg will produce.

Columbia Buys Story

West Coast Bureau of THE FILM DAILY
Hollywood—Columbia has bought "Obituary," a newspaper story written by Jerry Sackheim. Studio is negotiating for "My Old Man" by Richard Carroll and Betty Hopkins.

Ira Uhr Leaves Columbia

West Coast Bureau of THE FILM DAILY
Hollywood—Ira Uhr, Columbia's casting director for the past two years, has resigned.

RKO Pacts Maureen O'Hara

West Coast Bureau of THE FILM DAILY
Hollywood—RKO Radio has signed Maureen O'Hara to a new contract.

Cobb Advanced by B & K

Chicago—Bernard Cobb has been named managing director of the Howard theater. He has been with the circuit for the past 14 years.

"Queen Of The Yukon"

with Irene Rich, Charles Bickford,
Dave O'Brien

Monogram 73 Mins.
PLEASING PROGRAM OFFERING HAS GOOD OUTDOOR BACKGROUND AND SUFFICIENT ACTION.

Designed obviously for the program trade, this Monogram offering fills the bill nicely. The cast is able, the outdoor backgrounds are good and there is a goodly amount of action as well as a smoothly running story. Exhibitors catering to audiences who like this type of picture should find the picture useful.

Irene Rich is effective as a hard-boiled lady gambler with a heart of gold. Charles Bickford fills a he-man's role ably, and an agreeable supporting cast includes Dave O'Brien, June Carlson and Melvin Lang. Phil Rosen directed, keeping the action rolling at a smooth clip. Script written by Joseph West was based on a Jack London story.

Miss Rich is the operator of a fast boat which is used as a gambling ship while transporting miners up and down the river. Her daughter, Miss Carlson, does not know what her mother does for a living as she has been put in an Eastern school. Miss Rich sells the boat to Lang, representative of a mining company, when she learns her daughter is arriving. But June finds out anyway and thinks her mother's business was okay. Meanwhile, Lang has started operations rolling to jump the miners' claims and plenty of action ensues. O'Brien beats him up and Bickford gets a confession from him. Net result O'Brien gets Miss Carlson, Miss Rich gets Bickford, the miners get their claims back and everybody is happy.

CAST: Charles Bickford, Irene Rich, June Carlson, Dave O'Brien, Melvin Lang, George Cleveland, Guy Usher, Tris Coffin.

CREDITS: Associate Producer, Paul Malvern; Director, Phil Rosen; Screenplay, Joseph West; Based on a story by Jack London; Cameraman, Harry Neumann; Editor, Russell Schoengarth.

DIRECTION, Able. PHOTOGRAPHY, Good.

Siegel's First for Para. To Be "Virginian" Remake

West Coast Bureau of THE FILM DAILY
Hollywood—Paramount will remake "The Virginian" with Joel McCrea in the title role. Film will be in color and is scheduled for the new Sol C. Siegel production unit which is scheduled to make from 12 to 18 pictures a year. Jules Schermer will be Siegel's assistant while the associate producers will be Eugene Zukor and Joseph Siström. "Casey Jones," "Paramount on Parade" and "Two Bad Angels" will be among his productions.

Kahl Succeeds St. Clair

Chicago—Bill Kahl has been named country salesman for Columbia and will work in the Indiana territory, succeeding to the late John St. Clair.

"Design For Murder"

with Manning Whitley, Barbara Everest,
Michael Drake

World Pictures 52 Mins.
ENGLISH-MADE CRIME YARN WITH AMATEURISH CAST IS UNINTERESTING AND POORLY PRESENTED.

Produced by John Boulting, who also produced "Pastor Hall," this English-made film fails to hold much interest for audiences generally. The cast is amateurish, the direction lacks punch, and the production value is below par. Story is gruesome and would not be suitable for any but adult trade.

Manning Whitley, Barbara Everest, Michael Drake and May Petrie head the cast, with Petrie the most experienced performer of the lot. Roy Boulting directed from a screenplay by Francis Miller.

Story concerns an attempted murder. The body is tossed in a trunk, to be disposed of later, but house guests at a supposedly empty house and other complications uncover the attempted crime, and the victim escapes while his would be murderer gets his just deserts.

CAST: Manning Whitley, Barbara Everest, Michael Drake, May Petrie, Thorley Walters, Eileen Bennett.

CREDITS: Producer, John Boulting; Director, Roy Boulting; Screenplay, Francis Miller; Based on a stage play by Reginald Denham and Edward Percy; Cameraman, D. P. Cooper; Editor, Clifton Boote.

DIRECTION, Weak. PHOTOGRAPHY, Poor.

★ FOREIGN ★

"The Man of the Hour"

(French dialogue, English titles)

Trio Films, Inc. 93 Mins.

NEW YORK POST: Maurice Chevalier's "Man of the Hour" is rather a treat.

HERALD TRIBUNE: Inconsequential, but amiable Gallic satire will please Chevalier fans.

NEW YORK TIMES: Picture's gaiety is thin and it never dances along as a comedy should.

CREDITS: Produced by Les Films Marquis; Director, Julien Duvivier. PLAYERS: Maurice Chevalier, Elvire Popesco, Almerie.

"The Kiss of Fire"

(French dialogue, English titles)

I. E. Lopert 83 Mins.

NEW YORK POST: Performances and sensible script come together to make a tale which is interesting.

DAILY NEWS: The lurid title is no less cool and placid than the story.

NEW YORK TIMES: Whatever the producer's intentions, it is all pretty funny.

CREDITS: Paris Film production; Director, Auguste Genin. PLAYERS: Viviane Romance, Tino Rossi, Michel Simon.

The Film Daily's Calendar

A list of English-speaking features released since Aug. 10, 1940, by companies. Arranged by company. *of FILM DAILY review. Names are the principal players in the cast. Complete casts and production credits on page 10.*

COLUMBIA

West of Abilene, 58 mins. 10-21-40
FD: 7-17-40. Charles Starrett, Marjorie Cooley, Don Beddoe

Fugitive From a Prison Camp, 59 mins. 9-5-40
FD: 8-6-40. Jack Holt, Marian Marsh, Phillip Terry

The Fight For Life, 69 mins. 9-11-40
FD: 3-18-40. Myron McCormick, Storrs Haynes

He Stayed for Breakfast, 89 mins. 8-22-40
FD: 8-12-40. Loretta Young, Melvyn Douglas, Una O'Connor

Durango Kid, The, 60 mins. 8-15-40
FD: 8-23-40. Charles Starrett, Luana Walters, Kenneth MacDonald

Howards of Virginia, The, 122 mins. 8-29-40
FD: 9-3-40. Cary Grant, Martha Scott, Sir Cedric Hardwicke

Thundering Frontier, 57 mins. 12-5-40
FD: 9-16-40. Charles Starrett, Iris Meredith

I Married Adventure, 78 mins. 7-24-40
FD: 9-25-40. Mr. and Mrs. Martin Johnson

Before I Hang, 71 mins. 9-17-40
FD: 10-4-40. Boris Karloff, Evelyn Keyes, Bruce Bennett

Biondie Has Servant Trouble, 70 mins. 7-25-40
FD: 10-9-40. Penny Singleton, Arthur Lake, Larry Sims

So You Won't Talk, 69 mins. 10-3-40
FD: 10-17-40. Joe E. Brown, Frances Robinson, Tom Dugan

Prairie Schooners, 58 mins. 9-30-40
FD: 11-11-40. Bill Elliott, Evelyn Young

Five Little Peppers in Trouble, 65 mins. 9-1-40
FD: 11-15-40. Edith Fellows, Dorothy Ann Seese, Dorothy Peterson

Girls Under 21, 64 mins. 10-24-40
FD: 11-15-40. Bruce Cabot, Rochelle Hudson, Paul Kelly

Arizona, 127 mins. 11-28-40
FD: 11-20-40. Jean Arthur, William Holden, Warren William, Porter Hall

Angels Over Broadway, 80 mins. 9-30-40
FD: 11-22-40. Douglas Fairbanks, Jr., Rita Hayworth, Thomas Mitchell

Great Plane Robbery, The, 53 mins. 12-9-40
FD: 11-26-40. Jack Holt, Stanley Fields, Noel Madison

Elery Queen, Master Detective, 66 mins. 11-28-40
FD: 11-28-40. Ralph Bellamy, Margaret Lindsay, Charles Grapewin

Blondie Plays Cupid, 68 mins. 10-31-40
FD: 12-4-40. Penny Singleton, Arthur Lake, Larry Sims

WALT DISNEY

Fantasia, 120 mins. 11-14-40
FD: 11-14-40. Stokowski and the Philadelphia Orchestra

M-G-M

Boom Town, 116 mins. 8-30-40
FD: 8-6-40. Clark Gable, Spencer Tracy, Claudette Colbert, Hedy Lamarr

Wyoming, 89 mins. 9-13-40
FD: 9-10-40. Wallace Beery, Leo Carrillo, Ann Rutherford

Dr. Kildare Goes Home, 78 mins. 9-6-40
FD: 9-11-40. Lionell Barrymore, Lew Ayres, Laraine Day

Strike Up the Band, 120 mins. 9-20-40
FD: 9-17-40. Mickey Rooney, Judy Garland, Paul Whiteman

Dulcy, 64 mins. 10-4-40
FD: 10-3-40. Ann Sothern, Ian Hunter, Roland Young

Third Finger, Left Hand, 60 mins. 10-11-40
FD: 10-11-40. Myrna Loy, Melvyn Douglas, Lee Bowman

Escape, 104 mins. 11-1-40
FD: 10-31-40. Norma Shearer, Robert Taylor, Conrad Veidt, Nazimova

Hullabaloo, 77 mins. 10-25-40
FD: 10-29-40. Frank Morgan, Virginia Grey, Dan Dailey, Jr.

Haunted Honeymoon, 83 mins. 9-20-40
FD: 11-1-40. Robert Montgomery, Constance Cummings, Leslie Banks

Golden Fleece, The, 68 mins. 8-16-40
FD: 11-8-40. Lew Ayres, Rita Johnson, Lloyd Nolan

Little Nellie Kelly, 100 mins. 11-22-40
FD: 11-15-40. Judy Garland, George Murphy, Charles Winninger

Bitter Sweet, 92 mins. 11-8-40
FD: 11-20-40. Jeanette MacDonald, Nelson Eddy, George Sanders

Sky Murder, 72 mins. 9-27-40
FD: 11-22-40. Walter Pidgeon, Donald Meek, Karen Verne

Philadelphia Story, The, 112 mins. 1-10-41
FD: 11-26-40. Katharine Hepburn, Cary Grant, James Stewart

MISCELLANEOUS

Mozart (Mozart Film Co.), 76 mins. 10-8-40
FD: 10-8-40. Stephen Haggard, Victoria Hopper, John Loder

Here Is Ireland (Irish-American Film Corp.), 11 mins. 9-11-40
FD: 9-10-40. Travelogue in color

Torso Murder Mystery (Arthur Ziehm, Inc.), 70 mins. 10-23-40
FD: 10-25-40. Bruce Cabot, Tamar Desni

Face at the Window, The (Arthur Ziehm, Inc.), 65 mins. 10-23-40
FD: 10-25-40. Tod Slaughter, Marjorie Taylor

Let George Do It (Film Alliance of U. S.), 73 mins. 8-31-40
FD: 10-25-40. George Formby, Phyllis Calvert

Mercy Plane (Producers Distrib. Corp.), 72 mins. 10-31-40
FD: 10-31-40. James Dunn, Frances Gifford

Design for Murder (World Pictures), 52 mins. 12-4-40
FD: 12-4-40. Manning Whitley, Barbara Everest, Michael Drake

MONOGRAM

Laughing at Danger, 63 mins. 8-12-40
FD: 8-20-40. Frankie Darro, Joy Hodges, Mantan Moreland

Doomed to Die, 67 mins. 8-12-40
FD: 9-3-40. Boris Karloff, Grant Withers, Marjorie Reynolds

Who Is Guilty?, 69 mins. 9-2-40
FD: 9-6-40. Ben Lyon, Syd Walker, Terence de Marney

Range Busters, The, 53 mins. 8-22-40
FD: 9-9-40. Ray Corrigan, John King, Max Terhune

That Gang of Mine, 62 mins. 9-23-40
FD: 10-3-40. East Side Kids, Joyce Bryant

Drums of the Desert, 64 mins. 10-7-40
FD: 10-9-40. Ralph Byrd, Lorna Gray, Mantan Moreland

Little Miss Molly, 64 mins. 10-10-40
FD: 10-10-40. Maureen O'Hara, Binkie Stuart, Tom Burke

Trailing Double Trouble, 56 mins. 10-1-40
FD: 10-15-40. Ray Corrigan, John King, Max Terhune

Old Swimmin' Hole, The, 75 mins. 10-14-40
FD: 10-23-40. Jackie Moran, Marcia Mae Jones, Leatrice Joy

Ape, The, 62 mins. 9-30-40
FD: 10-25-40. Boris Karloff, Maris Wrixon

Arizona Frontier, 60 mins. 8-19-40
FD: 10-28-40. Tex Ritter, Slim Andrews, Frank LaRue

Take Me Back to Oklahoma, 64 mins. 11-11-40
FD: 11-26-40. Tex Ritter, Bob Wills & His Tex. Playboys

Missing People, 73 mins. 8-19-40
FD: 12-4-40. Will Fyfe, Mary Walsh, Lyn Harding

Queen of the Yukon, 73 mins. 8-26-40
FD: 12-4-40. Irene Rich, Charles Bickford, Dave O'Brien

PARAMOUNT

Great McGinty, The, 81 mins. 8-23-40
FD: 7-23-40. Brian Donley, Muriel Angelus, Akim Tamiroff

Rhythm on the River, 92 mins. 9-6-40
FD: 8-20-40. Bing Crosby, Mary Martin, Oscar Levant

Three Men from Texas, 70 mins. 11-15-40
FD: 9-10-40. William Boyd, Russell Hayden, Andy Clyde

Rangers of Fortune, 80 mins. 10-11-40
FD: 9-19-40. Fred MacMurray, Patricia Morison, Albert Dekker

Christmas in July, 70 mins. 10-18-40
FD: 9-20-40. Dick Powell, Ellen Drew, Ernest Truax

Comin' Round the Mountain, 80 mins. 8-16-40
FD: 10-3-40. Bob Burns, Una Merkel, Jerry Colonna

I Want a Divorce, ... mins. 9-20-40
FD: 10-4-40. Joan Blondell, Dick Powell, Gloria Dickson

World in Flames, 60 mins. 10-25-40
FD: 10-14-40. Documentary from news reel shots.

Arise My Love, 113 mins. 11-8-40
FD: 10-17-40. Claudette Colbert Ray Milland, Walter Abel

Quarterback, 74 mins. 10-4-40
FD: 10-17-40. Wayne Morris, Virginia Dale

*Northwest Mounted Police, 125 mins. 11-22-40
FD: 10-22-40. Gary Cooper, Madeleine Carroll, Paulette Goddard

Cherokee Strip, 85 mins. 10-11-40
FD: 11-6-40. Richard Dix, Florence Rice, Victor Jory

Night at Earl Carroll's, A, 62 mins. 12-6-40
FD: 11-22-40. Ken Murray, Lillian Cornell, J. Carol Naish

Moon Over Burma, 76 mins. 10-18-40
FD: 11-26-40. Dorothy Lamour, Preston Foster, Robert Preston

Second Chorus, 83 mins. 1-10-41
FD: 12-3-40. Fred Astaire, Paulette Goddard, Artie Shaw & Orch.

PRODUCERS RELEASING CORP.

Marked Men, 66 mins. 8-28-40
FD: 9-23-40. Warren Hull, Isabel Jewell, John D'Isen

Gun Code, 54 mins. 7-29-40
FD: 10-17-40. Tim McCoy, Inna Guest, Alden Chase

RKO RADIO

Ramparts We Watch, The, 90 mins. 8-16-40
FD: 7-24-40. John Adair, John Sommers, Julia Kent

Dance, Girl, Dance, 90 mins. 8-23-40
FD: 8-28-40. Maureen O'Hara, Louis Hayward, Lucille Ball

Stranger on the Third Floor, 64 mins. 8-16-40
FD: 9-3-40. Peter Lorre, John McGuire, Margaret Tallichet

Men Against the Sky, 75 mins. 9-6-40
FD: 9-5-40. Richard Dix, Kent Taylor, Wendy Barrie

Dreaming Out Loud, 81 mins. 9-13-40
FD: 9-10-40. Lum 'n' Abner (Chester Lauck, Norris Goff)

I'm Still Alive, 72 mins. 9-27-40
FD: 9-30-40. Kent Taylor, Linda Hayes, Ralph Morgan

Laddie, 70 mins. 10-18-40
FD: 10-3-40. Tim Holt, Virginia Gilmore, Spring Byington

Too Many Girls, 85 mins. 11-8-40
FD: 10-4-40. Lucille Ball, Richard Carlson, Ann Miller

They Knew What They Wanted, 96 mins. 10-25-40
FD: 10-9-40. Carole Lombard, Charles Laughton, William Adair

of Current Feature Releases

According to date of review. Dates after titles are distributor release dates: FD: indicates date of production credits are included with FILM DAILY reviews. *Indicates Technicolor production.

Mexican Spitfire Out West, 76 mins. 11-15-40
FD: 10-9-40. Lupe Velez, Leon Errol

Triple Justice, 66 mins. 9-20-40
FD: 10-10-40. George O'Brien, Virginia Vale, Harry Woods.

You'll Find Out, 97 mins. 11-22-40
FD: 11-14-40. Kay Kyser, Peter Lorre, Bela Lugosi, Boris Karloff

Remedy for Riches, 60 mins. 11-29-40
FD: 11-25-40. Jean Hersholt, Dorothy Lovett, Edgar Kennedy

Little Men, 84 mins. 11-29-40
FD: 12-3-40. Kay Francis, Jack Oakie, George Bancroft

REPUBLIC

Sing, Dance, Plenty Hot, 70 mins. 8-10-40
FD: 8-5-40. Ruth Terry, Johnny Downs

Earl of Puddleston, 67 mins. 8-31-40
FD: 12-4-40. James and Lucille Gleason, Harry Davenport

Ride Tenderfoot, Ride, 65 mins. 9-6-40
FD: 10-29-40. Gene Autry, Smiley Burnette, June Storey

Colorado, 57 mins. 9-15-40
FD: 9-3-40. Roy Rogers, George "Gabby" Hayes, Pauline Moore

Girl from Havana, 69 mins. 9-11-40
FD: 9-6-40. Dennis O'Keefe, Claire Carleton, Victor Jory

Tulsa Kid, The, 57 mins. 8-16-40
FD: 9-6-40. Don "Red" Barry, Noah Beery, Luana Walters

Under Texas Skies, 57 mins. 9-27-40
FD: 9-16-40. Bob Livingston, Bob Steele, Rufe Davis

Young Bill Hickok, 59 mins. 10-24-40
FD: 9-27-40. Roy Rogers, George "Gabby" Hayes, Jacqueline Wells

Melody and Moonlight, 72 mins. 10-11-40
FD: 10-3-40. Johnny Downs, Barbara Allen (Vera Vague)

Frontier Vengeance, 57 mins. 10-10-40
FD: 10-7-40. Don "Red" Barry, Betty Moran

Hit Parade of 1941, The, 86 mins. 10-15-40
FD: 10-15-40. Kenny Baker, Frances Langford, Hugh Herbert

Trail Blazers, The, 84 mins. 11-11-40
FD: 10-29-40. Robert Livingston, Bob Steele, Rufe Davis

Who Killed Aunt Maggie? 70 mins. 11-1-40
FD: 11-1-40. John Hubbard, Wendy Barrie, Edgar Kennedy

Friendly Neighbors, 67 mins. 11-7-40
FD: 11-8-40. Leon, Frank and June Weaver

Melody Ranch, 84 mins. 11-15-40
FD: 11-18-40. Gene Autry, Jimmy Durante, Ann Miller

Barnyard Follies, 67 mins. 12-6-40
FD: 11-22-40. Mary Lee, Rufe Davis, June Storey

Texas Terrors, 57 mins. 11-22-40
FD: 11-22-40. Don "Red" Barry, Julie Duncan, Arthur Loft

Meet the Missus, 68 mins. 11-29-40
FD: 11-25-40. Roscoe Karns, Ruth Donnelly, Spencer Charters

Border Legion, The, 58 mins. 12-5-40
FD: 11-28-40. Roy Rogers, George "Gabby" Hayes

Barnyard Follies, 68 mins. 12-6-40
FD: 11-29-40. Mary Lee, Harry Cheshire, Rufe Davis

20th CENTURY-FOX

Street of Memories, 71 mins. 11-15-40
FD: 7-2-40. Lynn Roberts, Guy Kibbee, John McGuire

Young People, 78 mins. 8-30-40
FD: 7-15-40. Shirley Temple, Jack Oakie, Charlotte Greenwood

Charlie Chan at the Wax Museum, 63 mins. 10-6-40
FD: 8-1-40. Sidney Toler, Sen Yung, C. Henry Gordon

Pier 13, 66 mins. 8-23-40
FD: 8-9-40. Lynn Bari, Lloyd Nolan, Joan Valerie

*Return of Frank James, The, 92 mins. 8-16-40
FD: 8-12-40. Henry Fonda, Gene Tierney, Jackie Cooper, Henry Hull

Great Profile, The, 82 mins. 10-25-40
FD: 8-20-40. John Barrymore, Gregory Ratoff, Mary Beth Hughes

Brigham Young, 114 mins. 9-27-40
FD: 8-27-40. Tyrone Power, Linda Darnell, Dean Jagger, Brian Donlevy

Public Deb No. 1, 105 mins. 10-13-40
FD: 9-18-40. Brenda Joyce, George Murphy, Charlie Ruggles

*Down Argentine Way, 94 mins. 10-11-40
FD: 10-4-40. Don Ameche, Betty Grable, Carmen Miranda

Night Train, 90 mins. 10-18-40
FD: 10-25-40. Margaret Lockwood, Rex Harrison

Gay Caballero, The, 57 mins. 10-4-40
FD: 10-28-40. Cesar Romero, Sheila Ryan, Robert Sterling

Mark of Zorro, The, 93 mins. 11-8-40
FD: 11-6-40. Tyrone Power, Linda Darnell, Basil Rathbone

Tin Pan Alley, 94 mins. 11-29-40
FD: 11-25-40. Alice Faye, Betty Grable, Jack Oakie, John Payne

Young Will Be Served, 66 mins. 11-22-40
FD: 11-25-40. Jane Withers, Jane Darwell, Robert Conway

UNITED ARTISTS

Pastor Hall (Roosevelt), 97 mins. 9-13-40
FD: 8-1-40. Nova Pilbeam, Sir Seymour Hicks, Wilfrid Lawson

Kit Carson (Small), 97 mins. 8-30-40
FD: 8-27-40. Jon Hall, Lynn Bari, Dana Andrews, Ward Bond

Foreign Correspondent (Wanger), 119 mins. 8-16-40
FD: 8-29-40. Joel McCrea, Laraine Day, Herbert Marshall

Westerner, The (Goldwyn), 100 mins. 9-20-40
FD: 9-20-40. Gary Cooper, Walter Brennan, Fred Stone, Doris Davenport

Long Voyage Home, The, 105 mins. 11-22-40
FD: 10-9-40. John Wayne, Thomas Mitchell, Ian Hunter

*Thief of Bagdad, The, 106 mins. 9-27-40
FD: 10-15-40. Conrad Veidt, Sabu, June Duprez, Rex Ingram

Great Dictator, The (Chaplin) 129 mins. 10-16-40. Charles Chaplin, Paul-ette Goddard, Jack Oakie

Blackout, 80 mins. 11-29-40
FD: 11-18-40. Conrad Veidt, Valerie Hobson

Son of Monte Cristo, The, 102 mins. 1-1-41
FD: 12-3-40. Louis Hayward, Joan Bennett, George Sanders

UNIVERSAL

Fugitive, The, 76 mins. 9-20-40
FD: 7-25-40. Ralph Richardson, Diana Wynyard

I'm Nobody's Sweetheart No, 64 mins. 11-1-40
FD: 8-6-40. Dennis O'Keefe, Constance Moore, Helen Parrish

Leather Pushers, The, 64 mins. 9-13-40
FD: 9-5-40. Richard Arlen, Andy Devine

Hired Wife, 93 mins. 9-13-40
FD: 9-9-40. Rosalind Russell, Brian Aherne, Virginia Bruce, Robert Benchley

Margie, 59 mins. 12-6-40
FD: 9-18-40. Tom Brown, Nan Grey, Mischa Auer

Spring Parade, 89 mins. 9-27-40
FD: 9-26-40. Deanna Durbin, Robert Cummings, Mischa Auer

Ragtime Cowboy Joe, 58 mins. 9-20-40
FD: 9-30-40. Johnny Mack Brown, Fuzzy Knight, Nell O'Day

Diamond Frontier, 71 mins. 10-4-40
FD: 10-4-40. Victor McLaglen, John Loder, Anne Nagel

Mummy's Hand, The, 67 mins. 9-20-40
FD: 10-4-40. Dick Foran, Peggy Moran, Wallace Ford

Argentine Nights, 74 mins. 9-6-40
FD: 10-15-40. The Ritz Brothers, The Andrews Sisters, Constance Moore

Little Bit of Heaven, A, 87 mins. 10-11-40
FD: 10-16-40. Gloria Jean, Robert Stack, Hugh Herbert

Meet the Wild Cat, 65 mins. 11-22-40
FD: 10-28-40. Ralph Bellamy, Margaret Lindsay, Joseph Schildkraut

Slightly Tempted, 60 mins. 10-18-40
FD: 10-28-40. Hugh Herbert, Peggy Moran, Johnny Downs

One Night in the Tropics, 82 mins. 11-15-40
FD: 11-1-40. Allan Jones, Nancy Kelly, Abbott & Costello

Seven Sinners, 86 1/2 mins. 10-25-40
FD: 11-4-40. Marlene Dietrich, John Wayne, Broderick Crawford

Devil's Pipeline, The, 65 mins. 11-1-40
FD: 11-15-40. Richard Arlen, Andy Devine, Jeanne Kelly

Law and Order, 57 mins. 10-18-40
FD: 11-28-40. Johnny Mack Brown, Fuzzy Knight, Nell O'Day

Bank Dick, The, 74 mins. 11-29-40
FD: 12-3-40. W. C. Fields, Una Merkel, Richard Purcell

Give Us Wings, 62 mins. 10-20-40
FD: 12-4-40. Billy Halop, Huntz Hall, Bobby Jordan

Dark Streets of Cairo, 59 mins. 12-20-40
FD: 12-4-40. Ralph Byrd, Sigrid Gurie, George Zucco

WARNER BROS.

They Drive by Night, 93 mins. 8-10-40
FD: 7-12-40. George Raft, Ann Sheridan, Ida Lupino, Humphrey Bogart

Sea Hawk, The, 127 mins. 8-24-40
FD: 7-23-40. Errol Flynn, Brenda Marshall, Claude Rains

Flowing Gold, 82 mins. 8-31-40
FD: 8-28-40. John Garfield, Frances Farmer, Pat O'Brien

No Time for Comedy, 93 mins. 9-14-40
FD: 9-9-40. James Stewart, Rosalind Russell, Genevieve Tobin

City for Conquest, 101 mins. 9-21-40
FD: 9-13-40. James Cagney, Ann Sheridan, Frank Craven

Money and the Woman, 67 mins. 8-17-40
FD: 9-18-40. Brenda Marshall, Jeffrey Lynn, John Litel

Dispatch from Reuter's, A, 89 mins. 10-19-40
FD: 9-24-40. Edward G. Robinson, Edna Best, Eddie Albert

Knute Rockne—All American, 98 mins. 10-5-40
FD: 10-7-40. Pat O'Brien, Gale Page, Ronald Reagan, Donald Crisp

Tugboat Annie Sails Again, 77 mins. 10-26-40
FD: 10-29-40. Marjorie Rambeau, Alan Hale, Jane Wyman

East of the River, 73 mins. 11-30-40
FD: 10-31-40. John Garfield, Marjorie Rambeau, Brenda Marshall

Calling All Husbands, 63 mins. 9-7-40
FD: 11-21-40. Ernest Truex, Lucile Fairbanks

Letter, The, 95 mins. 11-23-40
FD: 11-14-40. Bette Davis, Herbert Marshall, James Stephenson

Lady With Red Hair, 81 mins. 11-30-40
FD: 11-22-40. Miriam Hopkins, Claude Rains, Richard Ainley

Always a Bride, 57 mins. 11-2-40
FD: 11-28-40. Rosemary Lane, George Reeves

Para. To Release Blocks in Order

(Continued from Page 1)

amount president, said yesterday it was the company's intention to release blocks in their order, indicating that a recent statement by him had been misinterpreted.

Fred Strom, executive secretary of Northwest Allied, had written a letter to Balaban asserting that under their interpretation Paramount's policy would be contrary to the language of the consent decree which provides that licensing or offer for license of one group shall not be conditioned upon the licensing of another feature or group.

Strom's letter was referred to Paramount's legal department.

Find Two Dividends on Para.'s Pfd. Possible

Following the recent declaration of a dividend on Para.'s common stock, market experts who are familiar with the film company's charter have discovered that holders of the preferred stock may receive two dividends in the same quarter.

Although the recently declared common dividend was the third successive one voted by the board of directors, the common stock has not yet been put on a regular dividend basis.

Under the terms of an unusual provision in the Paramount charter, stockholders converting their preferred stock into common during the current week will receive the accrued portion of the preferred dividend for the quarter and will also get the full common dividend of 15 cents per share.

"Little Men" for Rivoli

"Little Men" will have its metropolitan premiere at the Rivoli Theater on Broadway, beginning Saturday. The pre-release run is one of a series of seven set by RKO for December. The others include the world premiere at Denver on the 4th, and playdates at Augusta, Little Rock, Oklahoma City, Washington and Boston.

"Speed Limited" to Solomon

Saul Solomon, of Exclusive Pictures, has acquired "Speed Limited" for the New York State and northern New Jersey territories, it was announced yesterday. Picture opens at the Central Theater Dec. 11 for a week's run.

STORKS!

West Coast Bureau of THE FILM DAILY
Hollywood—There's a new daughter at the John Waynes'. Girl is their fourth-born.

Skouras Sees Big Gains in '41 Will Be Best Year Since 1929, Exec. Holds

(Continued from Page 1)

due to forge ahead?" the circuit operator said. "I'll tell you. The shock of the successes of Nazi armies in Europe has passed; and our people were shocked, horrified, at the quick surrenders of Poland, Belgium, Holland, Denmark, France and Norway. But now Americans realize it has happened.

Says War's Shock Has Passed

"But the horrors of war kept many people home—they just didn't have the heart to go to the theater when so many people, so many relatives, were suffering. But the shock has passed.

"Then the election kept many people stirred up. They went to political meetings or stayed home and listened to speeches over the radio. Now this is over, and news from Europe is better. Greece started to turn the tide, and the people of Free France, in Spain and other places are happier and braver. The moral effect of the Greek victories has been terrific. I am very proud.

"Another thing that will make the theater business good is the fact that our factories are busy. The United States defense program, the great amount of supplies we are selling to England, and the goods that South American countries are

buying from us will increase our national income more than \$25,000,000,000. In 1941, our national income will be \$100,000,000,000."

Aim at Domestic Market

Skouras predicted that Hollywood studios generally will largely restrict their programs for 1941 to stories appealing to American moviegoers. He said:

"There will be a great many more stories picturing American life and the history of this country. One reason that this can be done is because we have lost a very large part of the export market, so producers don't have to think about how a picture will be received in Madrid or in London. Because the world's market has been so greatly reduced, more effort will be made to get all Americans, men, women and children, interested in the motion-picture theater."

Some Advantages In Decree

Commenting about the blocks-of-five provision of the consent decree Skouras observed that elimination of blind-buying offered certain advantages to exhibitors.

"Local theater men in the future will know what they are getting and how to best effectively sell their shows," he commented.

Newsreels' War Footage Gets Feminine Approval

(Continued from Page 1)

pleted by the Women's Institute of Audience Reactions.

To the question, "Do you think newsreels are giving too much attention to the war in Europe?" 67.4 per cent of the women contacted answered "no" while 32.6 per cent answered "yes." Approximately 5,000 women replied to the questionnaire.

A breakdown of the answers shows that among the housewives, 10.9 per cent answered "yes" and 89.1 per cent answered "no." Seven per cent indicated they didn't care and 1.2 per cent gave no answer. Of the business and professional women, 12.6 per cent thought too much footage was offered in war news, and 87.4 per cent took an opposite view. The remaining few didn't know or didn't answer. In the educational groups, 13.4 per cent answered "yes," and 86.5 per cent answered "no." Those who didn't care totaled 4.9 per cent and 1.2 per cent didn't answer.

Among the unemployed women, 25 per cent answered "yes" and 58.3 per cent answered "no." Remaining 16.7 per cent did not answer.

RKO Boston Exchange Moving

Boston—The RKO Exchange will move into its new quarters, corner Winchester and Arlington St. on Jan. 1. The building is now being completely remodeled.

\$153,878 Col. Net For First Quarter

(Continued from Page 1)

\$104,751.90 for the corresponding period ended Sept. 30, 1939, after similar deductions.

The working capital amounted to \$11,196,797.65; current assets \$13,082,811.37 and current liabilities, \$1,885,831.72, Columbia reported yesterday.

Company's statement pointed out that it had three top pictures coming along—"This Thing Called Love," to be released about Dec. 25; "Legacy," for January release, and "Penny Serenade," going out in February.

Films Contribute \$465,708 To Community Chest Drive

West Coast Bureau of THE FILM DAILY

Hollywood—The motion picture industry contributed \$465,708.52 to the Community Chest drive, according to the Chest chairman, Louis B. Mayer. This represents an increase of 47 per cent over last year.

New Burton Holmes Catalog

Chicago—Burton Holmes Films, Inc., has published a 1941 library catalog of sound films, including the Burton Holmes sound travellettes.

Keep 'em

ROMANTIC

Keep 'em

LAUGHING



A COLUMBIA PICTURE

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 111—First Section

NEW YORK, FRIDAY, DECEMBER 6, 1940

TEN CENTS

D OF J WINS RIGHT TO SERVE NEW BILL

"Observe Decree to Letter," Film Salesmen Told

**Violators Will Have to
"Stand the Rap" Personally,
Field Forces Told**

Film salesmen of the so-called "Big Five" are understood to have been instructed to observe the terms of the consent decree to the letter when selling starts next season. Violations of the decree, it has been pointed out, calls for personal indictment of the salesman.

A salesman who violates the decree and forces sales contrary to the law will have to "stand the rap" personally, they are being told.

Leonard-Hyland Will Make Soundies Here

Arthur Leonard and Dick Hyland have been signed as Eastern production unit to make Soundies for the Roosevelt-Mills Panorams, it was announced yesterday by Gordon Mills, president of Soundies Distributing Corp. of America, Hollywood.

Cinemasters, Inc., the Leonard-Hyland organization, produces at the Fox-Movietone Studios in New York and will film the Soundies there. Signing of contracts followed a study by N. H. (Jack) Brower,

(Continued on Page 9)

Newsreel Theaters to Use Nazi and Italian Footage

First Nazi and Italian newsreel material to be seen here in many months will be shown today or starting next week at several Metropolitan newsreel houses, it was reliably reported yesterday. It was pointed out by the operator of one newsreel house that insufficient war material is coming in now, that what material

(Continued on Page 9)

No Bid to Adolf?

London (By Cable)—"The Great Dictator" will be given a special screening here next week for Prime Minister Churchill and members of his Cabinet.

MPPDA Board Meet Deferred to Dec. 18

Meeting of the MPPDA board of directors which was scheduled for next Wednesday has been set back to Dec. 18 because it was believed that a quorum would not be available on Dec. 11.

It is understood that the renewal of Will H. Hays' contract will be one of the subjects for discussion at the session.

\$800,000 for Fund From Guild Air Show

Motion Picture Relief Fund is expected to be richer by \$800,000 as a result of contributions from the "Screen Guild Theater," CBS air show sponsored by the Gulf Oil Corp. The figure is expected to be reached before the end of the 1940-41 season, according to Jean Hersholt, president of the Relief Fund, who said that the "Screen Guild

(Continued on Page 12)

Film Charities Group Endorses Greek Drive

Film industry's permanent Charities Committee, headed by Sam Goldwyn, yesterday advised Harold S. Vanderbilt, national honorary chairman of the Greek War Relief

(Continued on Page 9)

Laval, French Film "Czar"

Vice-Premier to Oversee Entire Industry

Fairbanks, Jr., May Make Three Pix for 20th-Fox

West Coast Bureau of THE FILM DAILY

Hollywood — Three-picture deal with Douglas Fairbanks, Jr. is in the works at 20th-Fox for 1941, it was reported yesterday. Fairbanks would be starred in three pictures which would be among the company's regular releases, it was said.

**"Little 3" Get 60 Days to Move for Dismissal or to
File Answers; Gov't Must Announce Order of Trial of
Schine, Griffith and Crescent Trust Suits on Jan 13**

In face of vigorous opposition from United Artists, Universal and Columbia, Federal Judge Henry W. Goddard yesterday granted the Government's application to file the amended equity suit complaint and serve it upon the

Arbitration Pledge Offered by Columbia

Columbia is prepared to voluntarily submit all disputes to arbitration if not compelled to sell in blocks of five, as the consent decree provides.

Pledge to that effect was given yesterday by Louis D. Frohlich, of Schwartz & Frohlich, counsel for the company, addressing the Court in opposition to the filing of the amended complaint in the New York equity suit.

In attacking the decree, Frohlich warned that he would appeal any

(Continued on Page 12)

Credits to Argentina Affects U. S. Exchange

Washington Bureau of THE FILM DAILY

Washington — The Treasury Department and the Export-Import Bank revealed yesterday that \$100,000,000 in credits will be extended to the Argentine Government. This is important to film distributors as

(Continued on Page 4)

Arbitration Aides For Legal Matters

Two members of the industry's arbitration system administrative committee have agreed to act as special aides on legal and financial matters growing out of the arbitration provisions of the consent decree.

(Continued on Page 4)

RKO Sets 21 Features For Release to May 9

Release dates for 21 RKO features have been set from Dec. 20 to May 9, 1941. It is understood that Walt Disney's "Reluctant Dragon"

(Continued on Page 4)

Hizzoner's Crack

Prize crack of yesterday's hearing on various applications and motions in the New York equity suit came from the bench.

Robert L. Wright, Special Assistant to the Attorney General, was holding forth on the inability to meet defense request for info. as to the order of trial of anti-trust suits pending in Buffalo, Nashville and Oklahoma City.

"But, Mr. Wright," admonished Federal Judge Henry W. Goddard, "we want to allow them to do a little business besides defending law suits."

(Continued on Page 4)

THE FILM DAILY

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First Section

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DONALD M. MERSEAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Thursday, Dec. 5)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	9 1/8	9	9 1/8	
Col. Pict. vtc. (2 1/2 %)	5 3/8	5 1/8	5 3/8	.....
Columbia Pict. pfd.	21	21	21	.....
Con. Fm. Ind.	9-16	9-16	9-16	.....
Con. Fm. Ind. pfd.	8 3/4	8 3/4	8 3/4	+ 3/8
East. Kodak	140	138	138	.....
do pfd.				.....
Gen. Th. Eq.	11 1/4	10 7/8	11 1/4	+ 1/8
Loew's, Inc.	30 3/4	30 3/4	30 3/4	+ 1/8
do pfd.				.....
Paramount	10 1/8	9 7/8	10	.....
Para. 1st pfd.	98	97 3/4	97 3/4	- 1/4
Para. 2nd pfd.	10 1/2	10 1/4	10 1/2	.....
Pathé Film	10 1/2	10 1/4	10 1/2	.....
RKO	2 1/2	2 1/2	2 1/2	+ 1/8
20th Century-Fox	5 3/4	5 3/4	5 3/4	.....
20th Century-Fox pfd.	16 1/2	16 1/4	16 1/2	.....
Univ. Pict. pfd.	101 1/2	99	101	+ 2
Warner Bros.	3 1/8	3	3	- 1/8
do pfd.				.....

NEW YORK BOND MARKET

Keith B. F. ref. 6446	
Loew's deb. 3 1/2 % 104 3/4	103 3/4
Para. B way 3555	
Para. Pict. 6555	
Para. Pict. cv. 3 1/4 % 96	95 1/2
Warner Bros. deb. 6 1/2 % 92 1/4	91 1/4

NEW YORK CURB MARKET

Monogram Pict.	
Sonotone Corp.	
Technicolor	9 1/2
Trans-Lux	9 3/4
Universal Corp. vtc.	4 1/4
Universal Pict.	1 1/2

N. Y. OVER-THE-COUNTER SECURITIES	
Met. Playhouse, Inc. 2nd deb. '45	66
Roxy Thea. Bldg. 4 1/2 '57	62

E. M. Saunders' Father Stricken in Pittsburgh

Maurice E. Saunders, 85, father of Edward M. Saunders, Western sales manager for Metro-Goldwyn-Mayer, died yesterday at his home in Pittsburgh, of heart disease. Deceased had been retired for many years. The funeral will be held tomorrow from St. Raphael's Church in Pittsburgh.

Havana Exhibitors Fight Municipal Tax Measure

Havana (By Air Mail)—Complaint has been filed here with Mayor Raul G. Menocal by a committee of exhibitors against a new municipal tax increase which will affect theaters in the Havana district in 1941. New tax will increase to \$10 a day the payment by first-run exhibitors to the city during the winter season, and the new law also requires that Cuban variety artists be put on bills to a certain extent.

Meanwhile the anti-block-booking decree is in status quo. The commerce minister referred the matter back to the exhibitors and distributors for further talks; a representation of exhibitors and unions demand detention of the measure, and the U. S. distributors have not yet indicated that they will extend servicing of accounts unless the measure is revoked or amended.

"Journey to Jerusalem" To Be Released on Jan. 1

Offices have been established at 729 Seventh Ave. by Theater-On-Film Inc., it was announced yesterday by Joseph Pollak, president. Company was organized by Pollak to film stage plays intact for the 16 mm. non-theatrical film. First such production, "Journey to Jerusalem," the Maxwell Anderson play, will be ready for national release on Jan. 1. Pollak yesterday said that no definite sales setup has been planned and he did not know what play he would film next.

O'Shea-Bowen Testimonial Tentatively Set for Jan. 9

Tentative date for a testimonial dinner to Ted O'Shea and Jack Bowen has been set for Jan. 9. Plans for the dinner will be laid at a luncheon meeting of the industry committee next Tuesday at the Hotel Astor. O'Shea recently was named head of M-G-M's new Central division, while Bowen has been made district manager.

McCarthy in Washington

F. J. A. McCarthy, Universal Eastern division sales manager, is making a tour of Southern and Eastern exchanges, conferring with branch managers on the Scully Testimonial Drive, starting Sunday. He is due in Washington today, after having covered Atlanta, New Orleans and Cincinnati during the week. Exec. returns to New York early next week.

Ed Clarke Dies in Crash

Ed Clarke, associated with O'Brien, Driscoll & Raftery, was killed late Wednesday night in an automobile accident when a car which he was driving crashed into a elevated structure, it was learned yesterday. He was 36 years old.

Majors Had to Sell Mich. Co-op 100%—Schreiber

Detroit—Suit of Midwest Theaters against Co-operative Theaters went to trial yesterday before Federal Judge Frank A. Picard, after over a year of preliminary maneuvers. In the opening statement, attorneys for the plaintiff claimed that Co-operative had used its buying power to prevent the plaintiff from getting pictures, and, further, that such action is in violation of the anti-trust laws.

In the defense statement, attorneys took the position that the Federal Court does not have jurisdiction as Interstate Commerce is not involved, and hence there is no violation of anti-trust statutes.

Raymond E. Schreiber, head of the Midwest circuit, took the stand, testifying he had gone to major companies to buy films but all said they were unable to remedy the situation as they had to make deals with Co-operative 100 per cent.

Favor Greater Structural Strength for Film Vaults

Washington Bureau of THE FILM DAILY

Washington—Fire tests of motion picture films, concluded at the National Bureau of Standards yesterday, are expected to result in a recommendation that the structural strength of storage vaults for such films should be increased above present day standards.

The experiments were conducted by S. H. Ingborg, chief of the Fire Resistance Section, and A. C. Hutton, of the Bureau of Standards. Reserving a final report until data gathered at the experiments could be more fully examined, Ingborg told THE FILM DAILY:

"We have now conducted sufficient experiments to suggest that if the present standard of vent area equivalent to 7 pounds of film content per square inch is to be employed, more structural strength in storage vaults for films is to be recommended."

"Dictator" at 70-30 Plus, Uruguay, Java Guarantee

Deals for "The Great Dictator" in Uruguay and the Far East at 70-30 terms plus a guarantee were announced yesterday by Walter Gould head of United Artists' foreign department.

The Charles Chaplin picture opens in January in the new 2,000-seat Trocadero Theater in Montevideo, and will be followed by a run in Caracas and then at the Radio City Theater, Montevideo, for a long popular-price run.

The Far East deal calls for an unprecedented simultaneous three-house opening in Batavia, Java.

COMING and GOING

SPYROS SKOURAS returned to New York yesterday after a two-week visit to the Coast on business.

PHIL REISMAN, RKO foreign manager, returns to New York Monday from the Coast.

NORMAN MORAY, short subject sales manager for Warners, has left Hollywood for New York, with stopovers at a number of branches scheduled en route.

L. M. DEVANEY, Canadian division sales manager for RKO, is at the home office for confabs with sales chiefs.

PETE HARRISON leaves for Florida this weekend, with AL STEFFES joining him in Washington for the Southern trip.

MAURICE SEIDLITZ, Loew district manager, has left for a Florida vacation.

AL MARGOLIES, of Jayem Theaters, has returned from Miami.

CLARENCE ELLIS, of Pathe News, sails today on the Santa Lucia for South America.

FRANK DONOVAN, Pathe News exec. is in Hollywood.

LINDA BARNELL and her mother have returned to Hollywood after a vacation in Mexico City.

PRISCILLA LANE leaves for the Coast today.

KING VIDOR and his wife leave the Coast next week to spend a two-week vacation here.

OWEN DAVIS, JR., is en route here from the Coast.

LEONARD SPIGELGAS, producer, arrives tomorrow by plane from the Coast to confer with Jules Levey and Damon Runyon on "Butch Minds the Baby."

JACK BENNY and MARY LIVINGSTON arrive from the Coast next Thursday.

VAN NOMICOS of Chicago is in Washington today conferring with Spyros Skouras on Greek war relief plans.

F. J. A. MCCARTHY arrives in Washington today.

Garland's Starrer Going Into Criterion Christmas

"Little Nellie Kelly," which marks Judy Garland's first solo starring picture for Metro, will be the Christmas offering at Loew's Criterion.

"Happy Birthday to You"



Harry C. Lonsdale
Dot Farley

Lee Marcus
M. J. O'Toole
A. M. Brentinger

William S. Hart
Paul Cavanaugh

From
THE FILM
DAILY to

DECEMBER 6

David B. Whalen
Jack Henley
Elissa Landi
E. Mason Hopper
Kathryn McGuire
Sammy Cohen

DECEMBER 7

Elsie Allen
Marcella Albani
Frances Gifford

DECEMBER 8

Bryan Fay
Wallace Worsley
Fred Herkowitz

BOTTLENECK IN FILM INDUSTRY!

*Seat Supply Can't Fill the
Ticket Demand!*



They're Blaming The
Whole Thing On
WARNERS
—and we love it!

IT'S ON ACCOUNT OF THAT
TERRIFIC TURNOUT FOR

**BETTE
DAVIS**

The only smart way to solve it is to

HOLD 'THE LETTER'!

... as they did in BOSTON • ROCHESTER • SYRACUSE
CINCINNATI • DAYTON • CLEVELAND • LOUISVILLE • LOS ANGELES
NEW YORK • PHILADELPHIA • PITTSBURGH • ST. LOUIS
SAN FRANCISCO • SEATTLE • BALTIMORE

BETTE DAVIS in "THE LETTER"

By W. Somerset Maugham with

HERBERT MARSHALL

JAMES STEPHENSON

Frieda Inescort • Gale Sondergaard

A WILLIAM WYLER Prod'n

Screen Play by Howard Koch • Music by Max Steiner
A Warner Bros.-First National Picture

Pierre Laval French Film Industry "Czar"

(Continued from Page 1)

for an appeal to the Minister of Information from the veto.

Under the new setup, the industry is split into five branches: Technical, Production, Creative, Distribution and Exhibition.

French Government plans to establish its own Cinema City on the Riviera, with production to be centered there. Jacques de la Commune and Jean-Louis Tixer-Vigancourt are actively functioning under Laval.

RKO Sets 21 Features For Release to May 9

(Continued from Page 1)

will be available for release during this period.

Pictures and their release dates follow:

No, No, Nanette," Dec. 20; "Kitty Foyle," Dec. 27; "Convoy," Jan. 3, 1941; "Little Men," Jan. 10; "Let's Make Music," Jan. 17; "The Saint in Palm Springs," Jan. 24; "Mr. and Mrs. Smith," Jan. 31; "Along the Rio Grande," "Feb. 7; "Citizen Kane," Feb. 14; "Show Business," Feb. 21; "A Girl, a Guy and a Gob," Feb. 28; "Play Girl," March 7; "The Devil and Miss Jones," March 14; "Scattergood Baines," March 21; "A Dr. Christian story," March 28; "Repent at Leisure," "April 4; "Tom, Dick and Harry," April 11; "Hang Out the Moon," April 18; "They Met in Argentina," April 25; a Leon Errol picture, May 2, and "Blood Will Tell," May 9.

Credits to Argentina Affects U. S. Exchange

(Continued from Page 1)

it affects Argentina's dollars exchange for film imports.

Secretary Morgenthau said that arrangements were being concluded for a \$50,000,000 extension from the Stabilization Fund to help Argentina stabilize her currency against the United States dollar.

Warren Lee Pierson, head of the Export-Import Bank said his agency would make \$50,000,000 available to the South American country. The announcement followed an Argentine Financial Mission's visit to Pierson and Under-secretary of the Treasury Bill yesterday.

Meroff and Ork Plus 2 Pix

Boston — Benny Meroff and his band are the stage attraction at RKO Boston beginning today with "The Fargo Kid" and "The Five Little Peppers in Trouble" as screen fare. Meroff once played the Metropolitan Theater here for a period of six months and his return to Boston is being heavily billed.



● ● ● NOW that all the appraising boys and girls.....the nation's motion picture editors and critics.....have received their ballots.....whereon to record their individual selections of the Ten Best pix of 1940.....the results of THE FILM DAILY's 19th annual poll will soon be known.....Patently, no group is better qualified than the critical ones.....to perform this yearly chore.....The number of feature productions they see is enormous.....and it would be interesting to determine.....which of the balloting gentry is the most All-Seeling.... It would be quite a contest.....This corner knows, for example, that year after year.....Captain Barney Oldfield, the cinema solon of the Lincoln (Neb.) State Journal.....spends the lion's share of his time in a movie seat.....Of the 433 eligible releases on the current poll's ballot.....the Oldfield orbs examined 422.....plus a bloc of 54 other features of a miscellaneous nature.....Consequently his grand total is 476.....and might easily have rocketed above the 500 mark (his normal average of the preceding three years).....had not Uncle Sam come along and dressed Nephew Barney in good ole khaki.....

● ● ● OUR celluloid clique.....is sure going to town for Britain!.....Why, some of them are even giving the shirts off their backs.....We know that Errol Flynn is literally doing so.....—the colorful shirt he wore in "Santa Fe Trail".....This and other stars' sundries'll be auctioned by the Old New York Chapter of the British War Relief Society on Dec. 14, at the Workshop, 2 West 13th St.....Other items under the mallet o' this good cause:.....—a dress worn by Deanna Durbin in "Spring Parade".....the black parasol used by Marlene Dietrich in "Seven Sinners".....five of Dotty Lamour's sarongs.....Myrna Loy's silver compact.....Vivien Leigh's blue chiffon scarf, silver lorgnette and pink organdy bonnet, worn in "Lady Hamilton".....Loretta Young's amethyst clip from "He Stayed For Breakfast".....a gold bracelet and earrings worn by Ann Miller in "Hit Parade of 1941".....Penny Singleton's crystal clip from "Blondie Has Servant Trouble".....two signed Disney drawings.....and other objets d'art.....

● ● ● TALKING of brave Britain, we'll spin you a yarn.....Frank Farley, Paramount's European representative, in a letter from England to Russell Holman.....mentioned that once upon a time.....he bought the best binoculars money could buy in Berlin.....He and Mrs. Farley used them at European sports events.....Today, those Farley-owned binoculars are being used by an observer at the top of the Paramount Building in London.....to spot air raiders coming from the same place the binoculars came from.....Germany!.....

● ● ● EDGAR J. Doob, manager of Loew's Wilmington (Del.).....has been awarded M-G-M's Honor Roll Button for his outstanding exploitation campaign for "Escape".....Ed is Oscar's brother.....and the campaign is.....a honey!.....

● ● ● SYRACUSE University is bidding its film alumni and alumnae to return for the premiere of "Tambocade," Tambourine and Bones production.....tentatively set at the University's downtown Civic Theater for Dec. 17.....Musical is sort of a cavalcade o' campus musicals at S. U. during the last 40 years.....Both Harry Joe Brown, 20th-Fox producer, and Ralph Murphy, Paramount director, got their stage starts in T & B shows.....several of which they wrote and produced.....Others bid back are Harold "Lefty" Lewis, who wrote music for the Brown-Murphy T & B shows, and Miriam Hopkins who once danced on the campus.....

Arbitration Aides For Legal Matters

(Continued from Page 1)

cree. They are Sylvan Gotshal and S. D. Leidesdorf.

It also was announced yesterday that J. Noble Braden, executive secretary of the American Arbitration Association, had been designated as executive director of the 31 motion picture arbitration tribunals.

Gotshal is a member of the law firm of Weil, Gotshal and Manges and will be the advisory member in charge of leases and other legal matters arising in the course of administering the decree. Leidesdorf, like Gotshal, is a member of the board of the AAA and a prominent certified public accountant. He will advise the administrative committee on the financial system which the AAA is installing for the motion picture arbitration system.

Both men will serve without compensation.

Warners May Film Life Of Churchill in England

London (By Air Mail)—Max Milder, managing director here for Warner Bros., believes a film life of Prime Minister Winston Churchill would have great entertainment as well as propaganda value and is seeking permission to make a production about the life of England's war leader.

Milder believes that there could be no better way for Warner Bros. to do their bit for England, since they can't make guns or planes, than to produce such a film. "We don't seek to make one half-penny profit out of the idea," he said.

If permission is obtained, filming will start early in the new year at the Teddington studios.

Loew Metropolitan Houses To Use Special Kid Shows

A special morning show for kids will be featured in a number of Loew Metropolitan houses during Christmas week. Shows will have special cartoons and other subjects in addition to the regular features on the program. The Gangler Brothers Circus will also be featured in several Loew houses during the holidays at special Saturday morning shows for kids. Some 25 or more houses will give the special shows.

Cobina Wright, Jr., Cast

West Coast Bureau of THE FILM DAILY

Hollywood — Cobina Wright, Jr. and George Montgomery have been cast by 20th-Fox for the leads in "The Cowboy and the Blonde," story by Walter Bullock based on an idea by Ralph Dietrich who will also act as co-associate producer with Walter Morosco on the production.

RKO RADIO'S
GREAT
CHRISTMAS
ATTRACTION...



*The "No, No" Girl
with the Yes, Yes eyes...*



CHRISTMAS ATTRACTION
RADIO CITY MUSIC HALL



ALL THAT IT TAKES FOR A "MAKE-YOU-HAPPY" HIT!

The glamorous star of "Irene" in the famous "Tea For Two" musical romance... told to the lilting melodies of VINCENT YOUMANS... From stage to screen in a glorious sunburst of golden entertainment, with a happy-go-laughing cast playing the story to the hilt for comedy. A magnificent show for any day in the year—AND BOX-OFFICE EVERY MINUTE!

ANNA NEAGLE

in

No, No, Nanette

with

RICHARD
CARLSON



VICTOR
MATURE



ROLAND
YOUNG

HELEN BRODERICK ★ ZASU PITTS ★ EVE ARDEN

TAMARA ★ BILLY GILBERT ★ STUART ROBERTSON

Produced and Directed by

HERBERT WILCOX

Screen Play by Ken Englund

*From the Musical Comedy—"No, No,
Nanette"—by Frank Mandel, Otto
Harbach, Vincent Youmans, Emil Niytray*

Music by Vincent Youmans—Lyrics by Irving Caesar and Otto Harbach





**YOU'LL BE SEEING ORSON WELLES
SOON AS "CITIZEN KANE"**



Anticipation is sweeping Hollywood over its first look at Orson Welles' long-awaited first motion picture "Citizen Kane." Inside word has it that sensationally new dramatic treatments are only one of the unique elements that go to make it one of the biggest attractions ever screened. RKO Radio will release it soon—and another big one from the same studios soon to lead the nation in laughter is the Alfred Hitchcock-directed comedy starring Carole Lombard and Robert Montgomery—"Mr. and Mrs. Smith."

Leonard-Hyland Will Make Soundies Here

(Continued from Page 1)

general manager for Soundies, of the talent availability in the East and the organizational setup of Leonard and Hyland.

Ton-flight name bands, singers and specialties are already being signed by Cinemasters and production on the first series of Soundies will start Dec. 16. Highlight of the contract is a clause assuring production standards which will pass censorship in any situation.

Both Leonard and Hyland are alumni of Warner Bros., the former at one time a casting director under Lee Stewart at the Vitaphone Studios and the latter recently in charge of Warner's publicity and exploitation in the South. Following a number of features independently produced and directed by Leonard, Hyland resigned from Warners to form Cinemasters with him for the production of industrial and theatrical films. Current output includes the Columbia-released "Hobby Lobby," featuring Mrs. Eleanor Roosevelt, the first in a series based on the Dave Elman radio program.

Studios Make No Halt In Prod'n Due to Flu

West Coast Bureau of THE FILM DAILY

Hollywood—Officials of film industry were cheered by information from health and school officials that headway is being made in the fight against the spread of mild influenza throughout Los Angeles County.

Studios report no halt in production because of the ailment.

Dr. Bertram Brown, California state health director, said that the flu now current is of "Type A" influenza which uniformly is mild with a high attack rate but slow mortality rate. It appears suddenly, reaches a peak quickly and drops off just as rapidly.

San Francisco—Reports received here indicate that the epidemic of a mild form of the flu which struck California a few days ago, is spreading to neighboring states. From Eugene, Ore., comes the report that the infirmary of the State University there is filled with patients suffering from a mild attack of the flu. Portland health officers, however, state that city has no cases. Camp Murray, Wash., reports 1,400 cases of mild to severe colds among the 12,000 National Guardsmen encamped there.

At Gold Hill, Ore., and Kennewick, Wash., public schools were closed as a precautionary measure.

Jack Schribner Ill

Boston—Jack Schribner, assistant to Ronald Moon at the Cameo in South Weymouth, Lockwood and Gordon-owned theater, is seriously ill with bronchial infection.

Balaban, Skouras, Rodgers and Walker Will Speak at Philadelphia Variety Club Dinner

Philadelphia—Barney Balaban, president of Paramount; Spyros Skouras, president of National Theaters; William F. Rodgers, sales chief of Metro, and Frank C. Walker, Postmaster General and head of the Comerford Circuit, will be among the industry notables who will address the Philly Variety Club at its Bellevue Stratford dinner next Thursday.

Also scheduled to speak are Major Clifford Powell, Mayor Lamberton, ex-Gov. Hoffman of New Jersey, Senator James J. Davis, Superintendent of Schools Dr. Stoddard.

Others will be announced later. Ben Bernie will be toastmaster and Benny Fields, ringmaster.

Newsreel Theaters to Use Nazi and Italian Footage

(Continued from Page 1)

does come is pro-British, and that a number of complaints have been registered by patrons as to the one-sidedness of the material.

Formerly, lack of Nazi material was partly due to a stipulation by Nazi officials here that they have a right to okay the content of the entire reel if any Nazi material was used, but it was said this restriction has been dropped because of the German wish to present their material to the public here. Italian material now available was run through the British blockade, it was said, with Nazi material also run through the blockade and circuitously delivered via Russia and the Orient in some cases.

Newsreel managers were principally concerned as to whether or not material would start trouble in the theaters, but said it was worth a chance to spruce up the general run of stuff now coming in.

First Nazi clip that will be used depicts the bombing of London shot from a Nazi bomber with regular newsreel equipment.

Ice Show Opens In Hub; Exhibs. Fear Dip In B. O.

Boston—"Ice-Capades" opened at Boston Garden yesterday and drew capacity audiences. This big spectacular feature is viewed with little delight by exhibs. for it means 12,000 to 15,000 daily and nightly amusement patrons who visit Garden and who might ordinarily be considered movie patrons.

"Hi Ya, Gentlemen," with Max Baer and Ella Logan, musical comedy, started Wednesday at Colonial which reopened as an opposition legit. house.

Miriam Hopkins comes, in person, as star of "Battle of Angels" at Wilbur Theater Dec. 30.

Metro to Make "Roosty"

West Coast Bureau of THE FILM DAILY

Hollywood—"Roosty" an adaptation of the Broadway stage play of the same name by Martin Berkeley, will be produced for Metro by Jack Chertok, with Harry Bucquet the director.

Catholics Renew Legion Of Decency Pledge Sun.

Pledge of the Legion of Decency will be renewed in thousands of Catholic churches throughout the U. S. on Sunday in response to the invitation of the Bishops' Committee on Motion Pictures of which the Most Rev. John T. McNicholas, O.P., S.T.M., Archbishop of Cincinnati is chairman.

Legion of Decency points out that the renewal of the pledge has great significance at this time in view of the fact that the Bishops in extending the invitation to renew the pledge stated: "We therefore register our strong protest against the increasing objectionable tendencies which lately have become manifest in films."

Catholic editors have been quick to react to the Bishops' Committee's recent strictures, press checkup shows. Perhaps typical of what has been written is an editorial in the Huntington, Ind., Sunday Visitor, which reads in part:

"The moguls are riding for a fall. The Legion of Decency will soon be forced to intensify its drive, and there will come again a decline in attendance at motion pictures. Decency has paid the producers, but they evidently can't resist the temptation to please the sordid-minded. When movies were at their lowest moral pitch, attendance in the United States fell to some fifty million per week. Following the clean-up it jumped to more than eighty million per week. Watch it skid again, and soon, unless the producers wake up."

Coast Film Leaders Meet On Gov't's S. Amer. Policy

West Coast Bureau of THE FILM DAILY

Hollywood—John Hay Whitney addressed a group of film industry leaders, including representatives of screen actors, directors and player guilds, at the request of Y. Frank Freeman, president of MPPA, to explain some aspects of the Government policy in relation to Latin and South America.

Whitney was recently appointed head of the motion picture division of Nelson A. Rockefeller's co-ordinating committee of the American republics.

David O. Selznick, Walter Wanger and Frank Capra were appointed as a committee to organize industry cooperation.

Goldwyn Committee Backs Greek Drive

(Continued from Page 1)

Association, Inc., that it has "heartily endorsed and approved all possible aid" to the association's drive.

Telegram came simultaneously with the return from the West of Spyros Skouras, the association's national prexy. Skouras conferred with Goldwyn on the Coast, and Goldwyn's wire said "it is particularly gratifying to be able to extend our co-operation to such a prominent figure in our industry."

The Association's appeal passed the \$150,000 mark when additional gifts, including one of \$1,000 by Sidney R. Kent, prexy of 20th-Fox, sent the total to date to \$151,044.

Among the members of the National Citizens Committee, which is sponsoring the nation-wide fund-raising effort, are:

Darryl F. Zanuck, Harry M. Warner, Jack L. Warner, Clarence M. Turley, Lowell Thomas, Robert Sherwood, David O. Selznick, Gradwell L. Sears, J. Myer Schine, Nicholas M. Schenck, George J. Schaefer, Elmer Rice, Elmer C. Rhoden, Phil Reisman, Mike Naify, Dimitri Mitropoulos, Louis B. Mayer, Charles E. McCarthy, M. A. Lightman, Arthur W. Kelly, D. Idzal, Helen Hayes, John W. Hicks, Jr., John Hamrick, E. C. Grainger, Samuel Goldwyn, Harry L. Gold, William Goetz, H. J. Fitzgerald, Albert J. Finke, S. H. Fabian, Sam Dembow, Jr., Phil Chakeres, Rachel Crothers, Clare Boothe, and John Balaban.

Chicago—Spyros Skouras here yesterday on his way East said that a large number of artists from stage and screen will participate in the shows to be held in key cities for the benefit of Greek war relief funds. Van Nomikos leaves for Washington today to complete relief plans with Skouras.

Para. Refunding Program Is Negotiated Privately

Paramount's preferred refunding program is being negotiated privately. It was reported yesterday that directors were considering the calling in of \$14,158,000 \$6 convertible first preferred and \$5,550,000 \$10 par 60 cents convertible second preferred.

Fryer Relinquishes Control

Vinita, Okla.—Richard Fryer, operator of the State Theater here has relinquished control of that house to F. K. Burns and M. L. Riggs of Vinita.

Mrs. Sarah Schwartz Dies

West Coast Bureau of THE FILM DAILY

Hollywood—Mrs. Sarah Schwartz, wife of Sam Schwartz, pioneer film exhibitor, and mother of Marty and Charles Schwartz, died here on Wednesday.

HERE Y'AR GENTS!

IT'S THE GREATEST SHOW ON THE MIDWAY!
OUR OWN "GENERAL" FRANK C. WALKER IN THE
HONOR SEAT! BEN BERNIE CRACKING THE WHIP
ON THE G-R-R-EATEST BUNCH OF SPEAKERS EVER
UNDER ONE TENT! 1000 GENTS IS ALL WE CAN
HOLD! IT'S COLOSSAL! EVERY YEAR A SELL-OUT
—SO GET YOUR "DUCKETS" NOW!

TICKETS \$10.00 EACH

Send checks and reservations to—

H. A. BROWN, Treasurer
1638 LINCOLN LIBERTY BUILDING, PHILA., PA.

Make checks payable to—

THE VARIETY CLUB BANQUET COMMITTEE



All this and more . . . at the 6th ANNUAL
BANQUET of the VARIETY CLUB of
PHILADELPHIA (Tent No. 13) to be held
at the Bellevue-Stratford Hotel on Thurs-
day, December 12th. . . Dress formal. . .
All stag . . . You'll never forget it!

REVIEWS OF NEW FILMS

"West of Pinto Basin"

with Ray "Crash" Corrigan, John "Dusty" King, Max "Alibi" Terhune

Monogram-Weeks 60 Mins.
(HOLLYWOOD PREVIEW)

THIRD OF "RANGE BUSTERS" SERIES IS WELL-HANDLED WESTERN; SHOULD PLEASE.

This third "Range Busters" picture definitely establishes the series as standard, satisfactory, film fare, with an appeal to exhibitors who play westerns. Co-starring Ray "Crash" Corrigan, John "Dusty" King and Max "Alibi" Terhune, "West of Pinto Basin" contributes its share of hard riding, gun-fighting, episodes to please the average western fan.

Corrigan, King and Terhune, the three "Range Busters" work smoothly as a combine, offering a wide range of talent for the series, from hard riding appeal to romance and comedy. Terhune's ventriloquisms are comical and pleasing.

Directed by S. Roy Luby, the picture flows smoothly from Earl Snell's screen adaptation of Elmer Clifton's original story. Produced by Geo. W. Weeks, with Anna Bell Ward acting as associate producer, fine backgrounds, good photography and production values were incorporated.

Faced with the task of unravelling the persistent holding-up of the stagecoach from Pinto Basin, the impossibility of any money getting in to complete the dam being built in order to save the ranchers who are being forced out through drouth, and who are being forced to sell their ranches to the head of the gang of plotters, engineering a squeeze-out. The "Range Busters" start a counter-plot, are accused and jailed as the stage robbers but emerge in time to corner the real culprits and end matters with law and order again victorious.

Jerry Smith, "The Yodeling Cowboy," offers several fine vocals, including "Rhythm of the Saddle" and "Ridin' The Trail Tonight." The featured song "That Little Prairie Gal of Mine" was written by Lew Porter and Johnny Lange.

CAST: Ray "Crash" Corrigan; John "Dusty" King; Max "Alibi" Terhune, Jerry Smith, "The Yodeling Cowboy" of Radio Station WHO, Des Moines, Iowa, Gwen Gazo, Tristram Coffin, Jack Perrin, Carl Mathews, Dirk Thane, George Chesebro, Phil Dunham, W. E. Osborne, Budd Buster.

CREDITS: Producer, Geo. W. Weeks; Associate Producer, Anna Bell Ward; Director, S. Roy Luby; Author, Elmer Clifton; Screenplay, Earl Snell; Cameraman, Ed Linden; Musical Director, Frank Sanucci; Editor, Roy Claire; Featured Song, "That Little Prairie Gal of Mine" by Lew Porter and Johnny Lange; Specialty Songs, "Rhythm of the Saddle" and "Ridin' The Trail Tonight" by Jerry Smith.

DIRECTION, Smooth. PHOTOGRAPHY, Good.

Miriam Hopkins for "Hildreth"?

West Coast Bureau of THE FILM DAILY

Hollywood—Fritz Lang will produce "Hildreth," novel by Harlow Estes, for UA release and is negotiating with Miriam Hopkins for the leading role.

"Murder Over New York"

with Sidney Toler, Marjorie Weaver, Robert Lowery

20th-Fox 65 Mins.
MURDER MYSTERY WITH NEW YORK BACKGROUND UP TO PAR FOR THE CHAN SERIES.

Latest in 20th-Fox's Charlie Chan series, this one is up to par in every respect and is a useful offering for the program trade. There are two murders, a sufficient amount of assault and battery, and plenty of suspense until the culprits are disclosed. The cast is agreeable, the production value and backgrounds okay, and the picture rolls along smoothly enough to keep an audience interested.

Sidney Toler gives his usual fine interpretation of the wily Oriental sleuth. Marjorie Weaver is an attractive decoration, and Robert Lowery, Ricardo Cortez, Donald McBride, Sen Yung, Melville Cooper, Joan Valerie and Kane Richmond give competent support. Harry Lachman directed, maintaining the suspense and action nicely. The screenplay was contributed by Lester Ziffren.

Toler comes to New York for a vacation and to attend a police convention. Shortly afterwards, Toler is invited to Cortez's apartment for dinner and a police friend, Frederick Worlock, is found dead from gas. Toler and police inspector McBride immediately get down to cases and the chase starts. Witnesses and investigators are the intended victims of the murderer and one suspect and potential witness is murdered. However, Toler pursues his quarry until he uncovers the head of the combination saboteur-spy-murder ring in an exciting climax.

CAST: Sidney Toler, Marjorie Weaver, Robert Lowery, Ricardo Cortez, Donald McBride, Melville Cooper, Joan Valerie, Kane Richmond, Sen Yung, John Sutton, Layland Hodgson, Clarence Muse, Frederick Worlock, Lal Chand Mehra.

CREDITS: Producer, Sol M. Wurtzel; Director, Harry Lachman; Original Screenplay, Lester Ziffren; Based on a character created by Earl Derr Biggers; Cameraman, Virgil Miller; Editor, Louis Loeffler.

DIRECTION, Good. PHOTOGRAPHY, Good.

Warners Bros. Castings

West Coast Bureau of THE FILM DAILY

Hollywood—Warner Bros. has cast Barbara O'Neil and Montagu Love in "Winged Victory," and George Tobias, William Frawley and Harry Davenport in "The Bride Came C.O.D." Raymond Massey is being considered for the Methodist clergyman in "One Foot in Heaven."

Seek Rights to Kelly Play

West Coast Bureau of THE FILM DAILY

Hollywood—Metro is seeking screen rights to George Kelly's play, "Reflected Glory," as a vehicle for Joan Crawford.

Scripting New Marx Bros. Film

West Coast Bureau of THE FILM DAILY

Hollywood—Nat Perrin is writing the scenario for Metro's next, and last under present contract, Marx Bros. picture.

GENE AUTRY'S MELODY RANCH

A REPUBLIC PICTURE



"Hurry up, folks! Just room for one or two more passengers."



"From the Bronx to broncho in one generation! What a paradox!"



"You're falling in love with Gene."

"I'm afraid I am, Pop. At first, I thought it was just the fresh air and the western scenery, but that shouldn't make a girl run a pulse all the time, should it?"

JIMMY DURANTE • ANN MILLER and

BARTON MACLANE • BARBARA ALLEN (Nora Vague) • GEORGE "Gabby" HAYES • JEROME COWAN • MARIE LEE
JOSEPH SANTLEY—DIRECTOR

Arbitration Pledge Offered by Columbia

(Continued from Page 1)

deceit against Columbia to the U. S. Supreme Court, asserting that the Federal courts have no power to impose an arbitration system on the film industry.

N. Y. Dailies, Syndicates To Make Santa Fe Junket

All New York dailies and news syndicates, along with representatives from Times-Life Magazines, Redbook and the Saturday Evening Post, will be aboard Warners' "Santa Fe Trail Special," when it pulls out Wednesday, en route to the "Santa Fe Trail" world premiere at Santa Fe, N. M.

Three cars will be attached to the Commodore Vanderbilt, to carry the group, which includes: Howard Barnes, Herald-Tribune; Harry Staton, head of the Herald-Tribune Syndicate; Lucius Beebe; Lee Mortimer, Daily Mirror; Jack Lait, Editor-in-Chief Daily Mirror; Frank Farrell, World-Telegram; G. E. Blackford, Journal-American; Eileen Creelman, The Sun; John McManus, PM.

Aboard also will be Joe Connolly, Damon Runyon, Louis Sobol and Ed Sullivan, as well as Louis Alwell, INS; Joan Younger, UP; George Tucker, AP; Loinel Moise, King Features; Sid Hydemann, Redbook; Al Wright, Time, and Dmitri, Saturday Evening Post photographer.

The three-car contingent will take on a dining car at Albuquerque, where they will join the 17-car train from Hollywood.

Mohawk Planning Shorts For Independent Market

Mohawk Film Corp. is preparing to place a program of short subjects on the independent market. Plan is to select the best of the former Educational comedies and musicals and present them in groups to independent exchanges.

Parkhurst In Beverly Spot

Boston—E. M. Loew announces the appointment of Perce Parkhurst to manage Larcom Theater, Beverly. Parkhurst was formerly in charge of Merrimack Park Drive-In.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY
Hollywood — Parents of Denna Durbin have announced her engagement to Vaughn Paul, associate producer at Universal, with the marriage to take place next Summer.

Boston—Esther Yamins, niece of Nathan Yamins, theater operator of Fall River, was married to Norman Zalkind.

New Complaint to "Little 3" Get 60 Days to Ask Dismissal or Answer

(Continued from Page 1)

ter set forth in the amended complaint.

Judge Goddard refused to restrain the Government from prosecuting the Schine, Griffith and Crescent anti-trust suits pending trial and disposition of the main action. The Court, however, overriding protests of Robert L. Wright Special Assistant to the Attorney General, stipulated that the Government must appear on Jan. 13 and announce the order in which the three suits would be tried.

Wright had contended that he could not be certain of the dates of trial and was willing to concede only that the Griffith case would be tried before all others.

Court Supports Arguments

The Court supported arguments of Edward C. Raftery attorney for UA and Universal, and Louis Frohlich, attorney for Columbia, that it would be impossible to prepare for all suits without first-hand knowledge of the order of trial.

Wright argued that the principal defendants in the subsidiary suits were independent circuits and that the issues were not similar. At the outset of the argument, Wright stated that the principal difference between the old and the new complaints was the fact that the new one contained charges of discrimination by the "Little Three" in licensing to unaffiliated circuits in addition to affiliated ones.

Although Frohlich was prevented by the Court from arguing a motion to dismiss, he adroitly marshalled his attack against the new complaint in the guise of opposition to its filing.

Frohlich Repeats Argument

Frohlich repeatedly declared that with the dropping of the "Big Five" as defendants there could not possibly be a restraint of trade by the "Little Three" in violation of the anti-trust laws. The "Big Five" have assets totaling \$520,000,000 and grossed \$390,000,000 last year in comparison with a total gross by the "Little Three" of \$50,000,000 and assets not exceeding a total of \$40,000,000, he said. Frohlich charged the new complaint as being a "sham and a fraud" contending that the Government knew that the "Little Three" could not monopolize the industry, and asserting that the real reason for the new complaint was to force the "Little Three" into signing the consent decree.

The Columbia attorney cited both Assistant Attorney General Thurman W. Arnold and Paul Williams, a special assistant, as bearing out his point that theater ownership was the basis of monopoly. If the Government case rests on trade practice abuses, its remedy is not an anti-trust suit, but a complaint with the

Federal Trade Commission, he argued.

Says Gov't Failed to Show Reasons
Raftery argued that the Government had failed to show reasons why a new complaint is necessary. He told the Court that representatives of the Government in the early stages of the suit had besought the aid of the "Little Three" in prosecuting the action, asking for their help in disintegrating the "Big Five." Government officials then, he said, could not understand why the "Little Three" did not join in with the Government.

Judge Goddard ruled that the new complaint raised tryable issues and that the facts could not be verified without a trial. He allowed the defendants an opportunity to apply for a dismissal later on if they felt it to be feasible.

Wright, in answering the contentions of both attorneys, stated that divorcement would remain in the complaint, but the Government was suspending any move in that direction for three years, trial period of the decree. In rebuttal, Raftery claimed that the Government wanted a decree against the "Little Three" to prevent them from acquiring theaters.

\$800,000 for Fund From Guild Air Show

(Continued from Page 1)

Theater" had assured the construction of a home for the needy of the film industry.

Participants in the shows contribute their services, while the money that would ordinarily go to them—\$10,000 weekly—is paid into the fund. Almost every major star in Hollywood has appeared on the programs.

Two Jersey Loew Houses Play "Great Dictator"

"The Great Dictator is now playing at two Loew houses in New Jersey in addition to the Astor showing in New York, but no other Metropolitan bookings have been announced as yet. Jersey houses showing the picture are the Loew's State Newark, and Loew's Jersey City Jersey City.

NWMP Held In Boston

Boston — Metropolitan holds NWMP for a second week with Jane Withers' "Youth Will Be Served" as the co-feature. NWMP gave the Met a gross of \$22,000 last week, one of best weeks in recent months.



WHEN I HOOK 'EM...
THEY STAY HOOKED!
BIGGER AND BETTER
THAN "HE STAYED
FOR BREAKFAST!"

Rosalind RUSSELL • Melvyn DOUGLAS

in
**THIS THING
CALLED LOVE**
A COLUMBIA
PICTURE

Building
Remodeling

THE Film Equipment News DAILY

Equipment
Maintenance

VOL. 78, NO. 111—Second Section

NEW YORK, FRIDAY, DECEMBER 6, 1940

TEN CENTS

PEG STEEL PRICES BUT DELIVERIES LAG G-E Introduces Trio Of New Lamps To Trade

PLAIN TALK

... about equipment

By GEORGE H. MORRIS

Equipment Editor, THE FILM DAILY

SOME execs. of a certain few firms which, for many years, have been manufacturing equipment consumed by the motion picture industry, appear currently to be standing on the decks of their commercial crafts listening rapturously and exclusively to the siren call of war and defense contracts.

Before remarking on the matter, let it be said with prompt finality that no barrier whatever should be permitted to exist where any question of fabricating and supplying goods essential to the preservation of freedom in this world, either at home or abroad, is concerned.

But there is a difference, and a very definite one. 'twixt necessity and mere expedience. We do not believe that it is good business practice, nor a just attitude, for any manufacturer or group of manufacturers to so harness their facilities that they smother arsenals from which filmland can draw the material and devices it requires for smooth operation.

THE chances are remote that this condition will prevail, for the simple reason that if some certain organizations decide to neglect filmland,—after having sought its patronage and received it in so-called "normal" times,—there will be other companies with sufficient foresight and acumen to be in the driver's seat when the current national and world crisis is but an historical nightmare.

It is written in the archives of the sage and ancient Egyptians that "art is long and time is fleeting." The art of doing business, without expediency as the factor, will

(Continued on Page 2)

Going Okay, Thanks!

Cincinnati—John Stallings, of Midwest Theater Supply Co. here, estimates that business for the organization thus far this year was approximately 50 per cent better than in 1939. Of 16 new theaters in the mid-East area, 11 were completely equipped by Midwest, he stated,—including seats, carpets, RCA sound equipment, Brenkert projectors and lamps, lenses, rewind equipment, etc.

60-In. Fluorescent Is Longest Yet To Appear In the Company's Line

Cleveland—General Electric's Nela Park Engineering Dept. here states that the company has just introduced three new "F" (fluorescent) lamps to meet the broadening demand for fluorescent lighting.

For general lighting needs, a 100-watt, 60-inch tubular bulb 2½ inches in diameter, which is longer than any previous "F" lamp, has been developed. It lists, according to its makers, at \$3.75 and produces more than

(Continued on Page 6)

B. S. Moss Reveals Big Queens Project

B. S. Moss, veteran film theater operator and president of the newly formed Forest Hills Realty Corp., announced at mid-week that this organization will erect at the corner of

(Continued on Page 5)

DeAngelis Lists Jobs Under Way and Planned

New York City and Rochester offices of Michael J. DeAngelis, film theater architect, report that the Apollo Theater under construction in Buffalo for Basil Bros. will be ready

(Continued on Page 7)

Altec Biz Booming In South Deals Involve Equipment and Service

CTS Fills Orders From Duo Of W. Va. Houses

Charleston, W. Va. — Charleston Theater Supply Co. here has just furnished Wenzel Dual Ace Sound, Pro. 6 Wenzel Projector, Strong projection lamps and Strong rectifiers, plus Peabody chairs, to Robey's Robey in Spencer, W. Va.

Peabody chairs and a Da-Lite screen were also installed in B. H. Palmer's Grove, Cedar Grove, W. Va.

Celotex at Capacity

Chicago — Bror Dahlberg, president of Celotex Corp., reports sharp improvement in final quarter of organization's operations. Company reported earnings of 93 cents per share for fiscal year ending Nov. 1. Many theater jobs were completed during the year and current operations are at capacity. Officials do not expect any appreciable change in basic prices of materials and expect the 1941 building campaign will bring record business for the next year.

Alvin to be Ready In Few Weeks Time

Pittsburgh—Reconstruction of the Alvin Theater, which was almost completely demolished recently when the roof caved in, has begun and the house is expected to reopen within

(Continued on Page 6)

V. A. Rigamont Ready With Plans For Manos

Pittsburgh—Victor A. Rigamont, local film theater architect, has completed plans and specifications for a new 1,000-seater to be erected in Uniontown, Pa., for the account of the Monessen Amusement Co., of which Michael Manos, of Greensburg, Pa., is president.

The building will be modern in every respect.

Film Theater Architects Circumventing Hurdle By Designing In Concrete

Rising tide of delay in furnishing structural steel for the construction of new film theaters and the remodeling of existing ones, together with instances of commandeering of certain materials for the national defense program as well as for essential public works, outcropped sharply during the past fortnight and poised a problem for motion picture architects, contractors and exhibitors.

Situation took a paradoxical turn when scarcity of steel, and its ear-

(Continued on Page 4)

RCA's PG-134 Sound Wins Exhib. Favor

That a huge replacement market among indie exhibs. has been uncovered by a new motion picture sound reproducing system especially designed to meet the needs of the small

(Continued on Page 5)

NTS Cincinnati Branch Fills Six New Orders

Cincinnati—Numerous orders are reported filled here by National Theater Supply Co.'s branch, including Irwin chairs, Walker screen, Simplex projector, Peerless lamps, Alexander Smith carpet for Harry Schwartz and George B. Meyer's Clark, Win-

(Continued on Page 5)

A Cinderella Story!

Groveton, N. H. — Once upon a time (in fact until very recently), the local Alley Theater was literally the alley theater. Ah, but its Prince Charming Owner-Manager Art Sharby purchased the building in front of the house, and extended the lobby through to the street. New patrons don't have to wander down the alley to gain entrance. Art has christened it—the "Roxy."

(Continued on Page 4)



A Second Section of THE FILM DAILY comprehensively covering the equipment field, published every second Friday, except holidays, by Wid's Films and Film Folk, Inc., 1501 Broadway, New York City. John W. Alicote, Publisher; Donald M. Merseure, General Manager; Chester E. Bahn, Editor; George H. Morris, Equipment Editor. West Coast Bureau, 6425 Hollywood Boulevard, Hollywood, Cal. Ralph Wilk, Bureau Chief.

PLAIN TALK

... about equipment

(Continued from Page 1)

long survive, (thank Heaven!), the present international chaos. Time is fleeting. The War cannot last forever.

Bluntly put—if the patronage of studios, distribution channels and theaters has been worth the seeking and attainment, then it should be worth the retaining. We'll go even further and say that it should be worth increasing.

— o —

[T] may well be that some few of our domestic manufacturers are not aware of the business lesson which England has learned. Over there, the War has failed to interfere with efforts to actually expand internal trade of all types. None of it is allowed to go by the boards. Clarence L. Jordan, executive vice-president of N. W. Ayer & Son, Inc., advertising agency, remarked on this very point a few days ago in Atlanta. He said that intelligent and scientific advertising and promotion of products has actually been intensified in Britain, and that the Ayer office in London had earned more in the last 10 months than in any other 10-month period since the branch was established. Does this look as though England's business men were shedding any increment of trade?

British psychology in the face of Nazi assaults, he reminded, has called for "business as usual," and that in our own U. S. A. it is imperative that companies intensify campaigns in local markets. Does that sound any encouraging note to the apostles of Let's-Neglect-Some-Of-Our-Market?

Yes, many centuries ago, wise old Aesop penned the yarn of the dog and the bone. It's just too bad that the canine was so easily deceived.

"Improvers" Improve

Louisville—The Falls City Theater Equipment Co. here has remodeled its offices, removing them to the opposite side of their present building. New counters, displays and lighting fixtures have been installed, according to owner W. E. Carrell.

Form De Luxe Poster Co.

Chicago—J. M. and B. S. Eichelman and E. G. Wolz have organized the De Luxe Poster Co., with offices at Lisle.

NATIONAL THEATRE SUPPLY COMPANY

EVERY SHOW A LOCAL INSTITUTION WITH A NATIONAL REPUTATION FOR RELIABLE SERVICE

"GET IT FROM NATIONAL"

Erpi Foreign Orders Wait on Defense Jobs

Erpi's merchandising policies in the foreign field have begun to feel the pinch of the national defense program according to E. S. Gregg, company's general foreign manager.

Although tempo of production has stepped up in anticipation of emergency requirements Gregg urges caution in establishing delivery schedules. The production of military lighting equipment is already crowding domestic manufacturing facilities to some extent, he points out, and, the same condition may soon appear in related fields.

New Ebersson Houses Set To Premiere Soon

Four new film houses, all designed by John and Drew Ebersson, will have their formal openings shortly.

The Highland, Washington, D. C., is scheduled to debut on Dec. 20; Loew's American, larger of the two theater units in the larger Metropolitan Life development in the Bronx, Christmas Day; the Oswego, Oswego, N. Y., Jan. 10; and the Laurel, Laurel, Md., Jan. 16.

New House at Sheffield

Nashville, Tenn.—Muscle Shoals Theaters, Inc., affiliated with the Crescent Amusement Co. will begin the construction immediately of a new theater at Sheffield that will seat 1,000 people. The cost is estimated at \$75,000 and Louis Rosenbaum, Sheffield representative, states that the theater will be completed about Feb. 1, 1941.

New Precipitron Folder

East Pittsburgh—Westinghouse Electric and Mfg. Co. announces a new four-page illustrated folder, "Dirt Is a Critical Hazard," describing application, operation, and dirt removing qualities of the Precipitron electrostatic air cleaner. The folder may be obtained on request from company's Dept. 8-N-48, East Pittsburgh.

Mid-West Supplies Glenn

Georgetown, Ky.—The Glenn Theater here has been equipped with a new Da-Lite screen, two Benwood Linze Rectifiers and two Senarc lamps, purchased from the Mid-West Supply Co., Cincinnati. It is an Elliott & Ward house.

F. Poli Closing Strand

Havana—Fernando Poli, dean of the exhibitors in Cuba, closes his Strand this coming Sunday, Dec. 8, for a complete remodeling of the building and installation of new equipment. Seating capacity will be increased.

Pete Smith Is Building

Bellvue, Ky.—Pete Smith, operator of the Sylvia here, is erecting a new theater near the site of his present one.

General Seating Co. Supplies Six Houses

Recent installations announced by General Seating Co. include those for the following theaters: Zenith, Davenport, Iowa; the Ohio, Toledo; and Strand, Hot Springs, Ark.

J. A. Angros, of Coudersport, Pa., has installed General Seating chairs in his theater there, purchasing them through the A. & S. Steinberg Co. of Pittsburgh.

Through the United Theater Supply Co. of Tampa, Fla., the Prince Theater, Pahokee, has received new General chairs, as has the Prince in Belle Glade.

Butterfield Building To Grab Service Biz

Detroit—A new 800-seat theater will be built at once by Butterfield Michigan Theaters at Battle Creek to meet anticipated patronage from army men training at Camp Custer, which is designated as the camp for the Fifth Division. Custer was a major Army regional cantonment during the World War as well.

Butterfield Circuit now operates four out of six theaters in the city, where the circuit originally started.

Decorating To Marshall Field

Ottumwa, Ia.—Awarding of contracts for construction of a new house by the Ottumwa Theater Corp., is announced with the \$45,000 project to be completed on March 1. The decorating was awarded to Marshall Field & Co. of Chicago. The Ottumwa Theater Corp. announced also that the Ottumwa and Capitol theaters at Ottumwa will be remodeled.

Converting Hall Into Theater

Bristol, Conn.—Joseph Faith of Terryville, Collinsville, and Unionville, is converting the brick Red Men's Hall into a 700-seat theater, with Spartacus as general contractor. He will install new box office, lobby, booth, chairs, plumbing and heating, ladies' and men's lounges, and redecorate completely.

Boston House Ready

Boston—The new Uphams Corner Theater, operated by F. E. Lieberman, will have its official opening sometime after the first of the year. The new house, one of the most modern of neighborhood houses in the Boston area, will seat 1,300 and is being outfitted by Capitol.

New Addition to Zagers

Greensboro—Sir Stork, undoubtedly the busiest "supply" dealer in the world, has alighted here, bringing a bouncing baby boy to Max and Mrs. Zager. Hubby is with local Standard Theater Supply Co.

Glo to Debut Xmas

Nanty-Glo, Pa.—The new Glo Theater, owned and constructed by Lamantia Bros., will open on Dec. 25. This house seats 499 and is equipped with RCA sound.

COMING and GOING

A. A. FEINBERG, proxy of U. S. Air Conditioning, has returned to Minneapolis and is expected to re-visit New York before Dec. 15.

JOHN EBERSON returned to New York this week from a trip to Washington, D. C.

DREW EBERSON, junior partner of John and Drew Ebersson, returned to New York yesterday from Florida.

GEORGE HORNSTEIN, of Joe Hornstein, Inc. left New York last evening for Florida.

BEN SCHLANGER, film theater architect, returned to his New York office early yesterday from Pennsylvania.

R. E. WARN, Erpi's manager in Singapore, scheduled to visit New York shortly.

Westinghouse Backlog Hits \$180,000,000

Cleveland—Westinghouse Electric & Mfg. Co. has a backlog of unfilled orders on the books amounting to \$180,000,000, the largest they have ever been, A. W. Robertson, chairman of the board, said in an interview here on Wednesday.

Monthly shipments of the company are currently at the rate of between \$21,000,000 and \$22,000,000, he disclosed. With \$23,000,000 authorized up to the end of November for plant improvements and expansions, of which \$15,000,000 is still unexpended and another \$9,000,000 authorized for the same purpose in 1941, monthly shipments should increase materially during the coming year, Robertson said.

WTS Handling Colfax

Omaha—Western Theater Supply Co. has completed filling of the order for Bower and Manfield Colfax House got Ideal chairs, Da-Lite screen, Simplex projector, Cyclex projection lamps, Alexander Smith carpet, and other items. Plans and remodeling of theater were entrusted to Western Theater Supply, with Leo Dworak, associate architect.

Montreal House Progressing

Montreal—Installation of footings is completed and concrete pouring has started on construction of the new \$50,000 indie theater at the corner of Sherbrooke St. W., and Kingston Ave., Notre Dame de Grace. West-End suburb of Montreal, which the owner expects to have ready to open early in March, 1941.

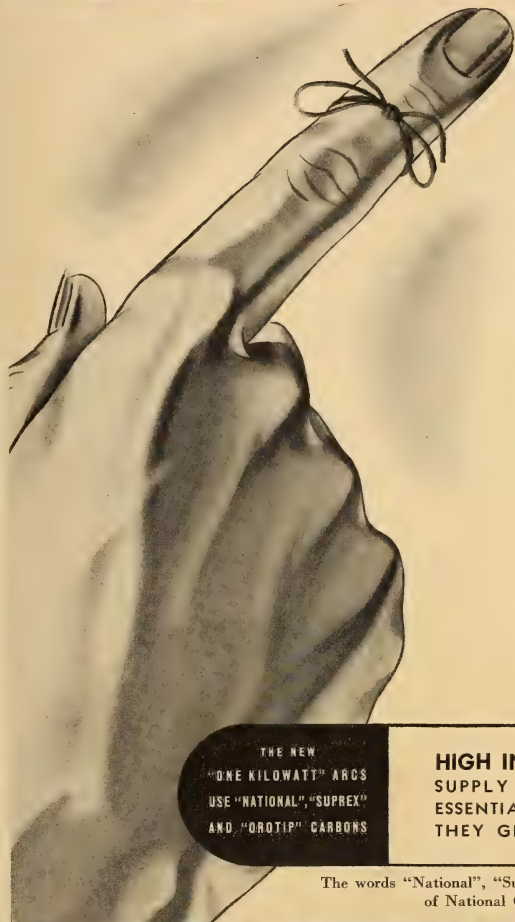
Fine Gets B & L

Evansville, Ind.—Oscar Fine has purchased a pair of new Bausch & Lomb Super Cinephor F-2 new type coated lenses for his Grand Theater here.

Meloy Selects Walker

Shelbyville, Ind.—The Strand Theater here operated by Paul Meloy has installed a new Walker screen.

Remember This!



PATRONS PAY TO *See* THE PICTURE

● The surest way to keep your patronage in the profit range is to use the best projection light available.

That means *High Intensity* projection—the light of daylight quality—that insures clear, comfortable vision of the fast moving, colorful modern productions.

The new "One Kilowatt" arcs now bring High Intensity projection to the small theatre—50% more light than Low Intensity projection at no increase in operating cost.

Installation costs are so low that no theatre can afford to be without this modern projection light.

Let your patrons SEE your pictures with maximum enjoyment. Satisfied patrons come again and bring others.

THE NEW
"ONE KILOWATT" ARCS
USE "NATIONAL", "SUPREX"
AND "OROTIP" CARBONS

HIGH INTENSITY CARBON ARC LAMPS
SUPPLY ALL THE SPECTRAL COLORS IN
ESSENTIALLY EVEN BALANCE. THAT IS WHY
THEY GIVE TRUE COLOR REPRODUCTION.

The words "National", "Suprex" and "Orotip" are trade-marks
of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC.

Unit of Union Carbide and Carbon Corporation



Carbon Sales Division, Cleveland, Ohio

GENERAL OFFICES

30 East 42nd Street, New York, N. Y.

BRANCH SALES OFFICES

New York, Pittsburgh, Chicago, St. Louis, San Francisco

Concrete Enlisted To Beat Steel Famine

(Continued from Page 1)

marking for purposes other than general commercial use, brought no price rise. In fact, U. S. Steel Corp. announced only this week, as did its largest subsidiary, Carnegie-Illinois Steel Co., the reaffirmation of present quotations on all major products through the first quarter of 1941. On matters of price, the rest of the steel industry follows the lead of Carnegie.

(Several weeks ago,—in light of the now developed situation which sees prevailing price levels on steel pegged for another few months,—the columns of THE FILM DAILY EQUIPMENT NEWS urged at that time that the opportunity to build and remodel theaters be seized.)

One of the most significant aspects of the current delay in fabricating and delivering structural steel is the calm determination of film theater architects to thoroughly protect their clients who are planning new houses or remodeling operations. This is being effected by architects' moves to design in reinforced concrete. John Ebersson, senior partner of the architectural firm of John and Drew Ebersson, said yesterday that his organization is naturally leaning to concrete design in light of current trends, thereby circumventing the threatened inability of steel companies to make deliveries until expiration of six to eight weeks.

Eugene R. Grace, president of Bethlehem Steel, indicated at mid-week that his company will have invested in excess of \$50,000,000 during 1940 to provide facilities to care for orders.

Despite the present "pinch" which commercial building appears to be widely experiencing as result of the concentration on defense orders, the materials market, as far as film theater construction and improvements are concerned, is generally steady. However, lumber has unexpectedly gone up some 40 per cent, and there are rises recorded in pipe, conduit and copper.

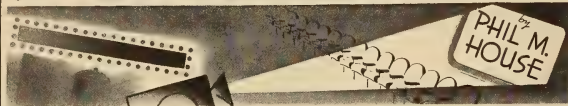
John Ebersson asserts, as evidence of the still firm market, that bids entered by five contractors figuring on the construction of a 1,000-seat house in the South, were very close to estimates, and, in themselves, only varied 10 per cent.

Probe of local steel situation this week unearthed statement from one architect that a mill in New Jersey had nearly completed an order, but that a Government inspector tagged it for national defense, which is designated as Class "A." Classes "B" and "C" are public works and commercial jobs, respectively.

Bishop-Ward to Build

Greenwood, Miss.—Frank Bishop and Ben Ward, of Ellisville, Miss., will build a theater here seating 400 people.

OF MATERIAL INTEREST



● ● ● MICHIGAN'S Governor Luren D. Dickinson may still opine that New York is an evil city, but we opine that His Excellency knows a good thing, too, when he sees one,—as is demonstrated by his recent appointment of H. M. Taliaferro, American Seating Co. proxy, to serve on the Draft Appeal Board for Allegan, Barry, Ionia, Kent, and Ottawa Counties. . . . P. A. Fergus, of South Bend Lathe Works tells us his outfit has ready for distribution Catalogue No. 16-T which describes the new types of 16-inch Series "S" Precision Lathe. . . . C. L. "Red" Stong of Erpi tells us that the total number of Erpi installations in the British Isles at Sept. 30 (latest available figures) was 2,246, of which 717 were Mirrophonic, which represents an increase of 174 Mirrophonics since Jan. 1. . . . Patrons and programs in Walt Chestnut and R. G. Webb's newly-opened Livingston, Ky., house should be filled with vim, vigor and vitality, and the ole box-office fine and healthy, since they've christened the theater "The Gym". . . . We like the implication in a Barbourville, Ky., dispatch which recounts that Charley Mitchell's new 500-seater is nearing completion, and that it's "located on the Square". . . .

● ● ● OUT Detroit way, Russell N. Carr and George Knott are organizing Modern Seating Service at 1448 Taylor Ave. . . . Can it be professional jealousy that right on the heels of the announcement by Dr. Lewis H. Urling, D.D.S., that he was opening his shuttered Pine Theater, Pine Grove, Va., should come the proclamation by Dr. E. M. McDaniel, M. D., that he's gonna build a swell new movie theater in South Martinsville, Va.? . . . T'other day, we opened a communique from G. H. Day, manager of sales for the Stamford, Conn., Division of Yale and Towne Mfg. Co.,—and hanged if we didn't think at first glance that Mister Day had turned movie producer, and that his first feature would be "The Phantom Doorman" as that phrase was clarified on an enclosed brochure—Dear Circuit Operators and Exhibits: If you want to see a device your theaters should have, drop Mister Day a line and ask him to send you info on "The Phantom Doorman". . . . On this approaching Sunday, Dec. 8, Max Zellen, who is owner and will operate the new Bethel Theater in Bethel, Me., will give folks up that-a-way something to talk about via a real Hollywood-like opening in behalf of that house, a lot of whose equipment was acquired from National Theater Supply's Boston branch. . . .

● ● ● WHILE we're speaking of New England, it should be noted that Jean Val Jean, orchestra leader who recently became a cinema magnate by purchasing the Central Theater in Lawrence, Mass., reports business on the upgrade (shouldn't an ork leader say "upbeat"?). . . . M. L. Fawcett, formerly head of the transformer division of Westinghouse Electric & Mfg. Co. at Sharon, Pa., has been named staff assistant in the Pittsburgh branch, and is succeeded in Sharon works by H. V. Putman, while the latter's former post, manager of engineering, has been assigned to J. K. Hodnette, design engineer. . . . You gotta give credit to those gents of Owens Corning Fibreglass Corp. for their progressive experimental work, as further revealed at their annual show in New York's snooty Waldorf-Astoria, whereat were seen the evidences of what is being done to produce fluorescent glass for the new type of electric lighting which may replace eventually the present method of coating light tubes with fluorescent chemicals. . . .

Altec Closes Many Pacts In The South

(Continued from Page 1)

phis, Tenn.; Russell, East Point, Ga.; Jewel, Gordon, Ga.; Garden, Atlanta, Ga.; Allison, Piedmont, Ala.; Boulevard, Miami, Fla.; Strand, Key West, Fla.; Wayne, Waynesboro, Tenn.; Peachtree, Atlanta, Ga.; Georgia, Memphis, Tenn.; Roosevelt, Hollandale, Miss.; Naval Base, Key West, Fla.; Marine Barracks, Parris Island, S. C.; Charles, Montgomery, Ala.; Plaza, Ft. Smith, Ark.

Mion and Murray Theaters of Atlanta, Ga., has selected Altec Service Corporation to service their new suburban theaters, the Decatur in Decatur, Ga., Little 5 Points Theater in Atlanta, and the East Point Theater in East Point, Ga. Altec installed the Simplex sound in these theaters and the service and repair and replacement contracts were negotiated by A. Fiore for Altec.

A Simplex Four Star sound system has been installed in the Strand Theater, Key West, Fla., by Altec engineer O. W. Hancock of Miami who with A. Fiore of the Altec Atlanta office, negotiated service and repair-replacement contracts with Juan Carbonell, Jr., for both the Strand and Monroe Theaters.

Jacksonville Project To Be Ready in March

Jacksonville, Fla.—Work is progressing on the new St. John Theater being erected for the Warner interests. Robert E. Collins, Miami Beach, is the architect, and H. Baird, Jacksonville, is contractor.

Independently operated, the theater will handle Warner and First National releases. It is expected that the building will be completed by March, 1941.

Lundy Replacing Ritx

Frank Lundy is building a new theater at Barnwell, S. C., to replace his old Ritx House, to have the same name, is being equipped with new RCA Photophone sound equipment. Lundy operates other houses at Alameda and Denmark, S. C.

Job Goes to Kennedy

Decatur, Ill.—Frisina Amusement Co. has let the contract for its new theater here to R. Kennedy, general contractor of Taylorville, Ill. Equipment for the house will cost between \$125,000 and \$150,000. It will be a 1,000-seater.

M & N H Better Majestic

Boston—The Majestic Theater, Burlington, Vt., is being redecorated by its owners, the Maine and New Hampshire Theaters. New draperies are being added by Capitol Theater Supply.

Schwartz Betters Front

Bridgeport—Phil Schwartz is erecting a new marquee at the Parkway

B. S. Moss Reveals Big Queens Project

(Continued from Page 1)

Continental Ave. and Austin St., Forest Hills, one of the largest amusement and business centers in the country.

Moss, a pioneer in the promotion of successful amusement enterprises, states that he and his associates plan a unit a block and a half long by a block wide, in which, under one roof, will be a motion picture theater, a cafe, a bowling alley, and store sites.

According to the announcement, the new theater will not be merely a movie theater but rather a "Sound Picture House," completely sound proofed and constructed in accordance with the fundamental principles of modern acoustical science. It will be of an intimate type, giving the spectator and listener all the advantages of the small legitimate theater, regardless of where his seat is situated. Carpeted throughout, with seats fully upholstered, with walls, ceilings, and floors sound-dampened with newly patented materials, there will be no distraction whatever from either interior repercussion or from outside noises.

Atop the huge structure will be a striking roof-garden restaurant with a sliding roof, where open air dining and dancing will be enjoyed against an attractively landscaped background of flowers and shrubs. An underground garage will house hundreds of automobiles.

This new "Amusement City," covers an area of 26,000 square feet in the heart of Forest Hills business section, in close proximity to Queens Boulevard, the Eighth Avenue Subway, and the Long Island Railroad station.

Charles W. Myers and Fred E. Murphy acted for the Long Island Railroad Co., sellers, and Marks and Marks represented the Forest Hills Realty Corp., buyers.

Grew Improves Projection

Waterloo, Ia.—Two new Magnarc lamps have been installed in the projection booth at the Strand theater at Waterloo for improving the projection of colored pictures, Maurice Grew, manager, announced. National Theater Supply company of Des Moines had charge of the installation.

Likes Fluorescent Carpet

Detroit—Howard Reynolds, owner of the Family at Grand Rapids, is putting in the second fluorescent carpeting and fixtures installation with black lighting in a Michigan theater. Work is being done by National Theater Supply Company.

Harris Modernizing Harris

Russell L. Harris is bringing his Harris at Hugoton, Kansas, up to date with the installation of new RCA Photophone sound and Brenkert projection and booth equipment.

WHO'S WHO IN EQUIPMENT

L EON W. CONROW. President of Altec Service Corp. Graduated from Stevens Institute of Technology, Hoboken, N. J. Began his business career as an employee of Bell Telephone Laboratories. Subsequently joined Vitaphone



Corp. with which organization he served in the development of sound films and the equipment essential to their practical reproduction. In 1927 he joined Electrical Research Products, Western Electric subsidiary, and served successively, and decidedly successfully, as installation manager and general manager of the Eastern Division, and general operating manager. When Altec Service Corp. came into being in 1937, he became its president. Under the Conrow regime, that organization rapidly branched out in order to promptly serve and service every customer-outlet in the domestic field. In addition to heading Altec and headquarters at company's offices, 250 West 57th St., New York, he is president of Conrac, Inc., in Newark, N. J.

NTS Cincinnati Branch Fills Six New Orders

(Continued from Page 1)

Chester, Ky.; Super Simplex projectors for O. B. Taylor's Idle House, Williamstown, W. Va., and Milt Levine's Lyric, Williamstown, W. Va.; and Irwin chairs, chair covers, Walker screen, E-7 Simplex projector, Peerless Magnarc lamps, Alexander Smith carpet and Hertner transverter for James Rogers' Beverly in Huntington, W. Va.

NTS also reports that M. A. Chase's Vogue, Cincinnati, has received Irwin chairs and covers, Walker screen, Super Simplex projector, Peerless Magnarc lamps, and Alexander Smith carpet.

Also that Irwin chairs and covers, Walker screen, Simplex projector, Peerless lamps and National rectifiers were purchased by Earl Miller for his Gilbert, Gilbert, W. Va.

Theater Shares Quarters

Hill, N. H.—A theater, now nearly completed, will be one of the features of the new model community replacing the old village of Hill, which vanished in a flood control project. The theater will occupy a building in which the town hall, Grange hall, library, fire engine house and town officers' quarters will also be located.

Large Order to NTS

Detroit—Bernard A. Brooks owner of the President Theater, is modernizing the house, using Super-Simplex projectors, sound, and lamp houses. Contract went to National Theater Supply Company. New equipment cost was estimated at \$15,000. Brooks is also starting construction of a new theater in River Rouge, Mich.

E. & W. Better Virginia

Somerset, Ky.—New lamps, rectifiers and screen have been installed in the Virginia here. Benwood Linze rectifiers and Senarc lamps also have been installed in the Kentucky, Elliott & Ward house. Equipment for both was purchased from the Midwest Theater Supply Co., Cincinnati.

Remodeling Iowa House Involved Sum of \$20,000

Marion, Ia.—Ed Lorenz, manager and co-owner of the Marion Theater, has announced that \$20,000 was spent to re-build the house which was closed recently for the repairs.

Changes included the lowering of the ceiling, building the box office flush with the sidewalk line; a larger rest room for women; new seats, upholstered, and rearranged in the auditorium; a new front of structural glass; and a new canopy.

RCA's PG-134 Sound Wins Exhib. Favor

(Continued from Page 1)

theater, was stated this week by Homer B. Snook, manager of RCA photophone reproducer sales.

System, known as the PG-134, has been greeted with unprecedented enthusiasm in the field despite the fact that its introduction was virtually unheralded, Snook asserted. It provides, he added, in standard equipment many features heretofore confined to systems designed only for larger theaters.

The PG-134 incorporates sound-heads equipped with the well-known Rotary Stabilizer mechanism. Its amplifier has high fidelity frequency response and adequate reserve power. The loudspeaker system is the highly efficient two-way type and is designed for minimum backstage requirements. The treble tones are reproduced by a cellular horn while the bass tones are handled by a large folded baffle.

Among the small theaters which have installed the new equipment are the Lyric, Culbertson, Mont.; Liberty, Jonesboro, Ark.; Palace, Coweta, Okla.; Pine, Pine Grove, W. Va.; Ziu, Los Lunas, N. M.; Gem, Baldwin, Kan.; Plaza, Brownwood, Tex.; Sodus, New York; and Strand, Waterville, N. Y.



You can always count on Bette Davis to come through for the box office. Thousands of exhibitors feel the same way about Alexander Smith Carpet . . . which is why you find this famous carpet in most of the country's successful theatres.

ALEXANDER SMITH CARPET

Trio Of "F" Lamps Added To GE Line

(Continued from Page 1)

double the amount of light given off by the standard G-E 40-watt white fluorescent lamp.

The second new lamp introduced in the "F" category is a soft white lamp which comes in four sizes and ranges in price from \$1.05 to \$1.35.

Other development and addition to the line, which has certain conceivable application as film industry equipment, is a new pencil size lamp which is smaller than any yet marketed by G-E.

\$75,000 Seaford Layton Ready In Mid-December

Seaford, Del.—New \$75,000 Layton Theater now under construction here is expected to be completed by mid-December, according to Thomas E. Ayres, owner.

The Layton will be of buff brick. Its auditorium, with a capacity of 800, will include a stage.

A modern deep well air conditioning unit will be installed by Marion Hastings, Delmar contractor.

Show Card Colors Ready

Chicago.—The Sherwin Williams Co. has developed a line of show card colors for the theater poster trade which have, the organization's representatives say, unusual opacity, wide covering power, pleasant odor and do not rub or chip off. Twelve assorted colors are now available in ¼ ounce bottles, all packed in a strong carton for shipment.

Lighting Equipment

Rentals:

A full line of modern equipment together with a staff of trained men to handle any job large or small any time, anywhere. Generator trucks, searchlights and floodlights, for premises and general lighting activities.

Sales:

Everything in the line of equipment for motion picture and photographic studios.

Service:

We are prepared to offer the finest service, equipment and technical advice obtainable in the East. Your requirements taken care of to the last minute detail.

Sole Eastern Distributors of equipment manufactured by:

Mole-Richardson Co.
HOLLYWOOD, CALIFORNIA
CHARLES ROSS Inc.

244-50 West 49th Street New York City
Tel. Circle 6-5470-1-2

DeVry Puts Up Sound Trucks For Sale—And They're In Very Sound Shape At That!

Chicago.—If you need a fleet of sound trucks for use in your business,—or as a neat l'il memento of the recent national political campaign,—just get in touch with The DeVry Corp. These "Audio-Visual Caravans" are the last word in equipment of this type. Each truck has either 16 or 35 mm. film projector, amplifier, electric phonograph, microphones and stands, sound screen, 3-way horn and speaker assembly, and a flock of other devices. There is little chance that you'll find any of the mechanisms clogged with barbed phrases or campaign promises, 'cause the trucks have been thoroughly reconditioned.

Capitol M. P. Supply Reports Latest Jobs

Ben Perce, of Capitol M. P. Supply Corp., reports most recent jobs of that organization include RCA Magic Screens for Fabian's Paramount and St. George Theater, Staten Island, with latter house also getting a Century projector, as did circuit's Community, Catskill, N. Y., plus Ashcraft lamps and Baldor rectifiers. RCA Magic Screens were also furnished to Prudential's Garden, Richmond Hill, L. I.; Sam Friedman's Regun, New York City; and Mensing's West End, Curacao, Netherlands West Indies. This latter outlet also was shipped a Century projector, Ashcraft lamps and Imperial generators.

Capitol also lists complete refurbishing and decorating Harry Hecht's Palace Theater, Passaic, N. J., and supply of drapes and Mohawk carpet to that house.

Cannon's Is Re-opened

New Haven.—The 700-seat Cannon's has reopened after a six weeks' dark period for renovation under the supervision of Modern Theater Equipment Co., with Lou Phillips in charge. Repairs include new marquee, carpets, booth, lighting fixtures, screen, chairs, stage drapes, rubber mats, and display frames. The nabe is operated by John Cannon and John Cannon, Jr.

Another for Martinsville

Martinsville, Va.—A permit has just been issued to Dr. E. M. McDaniel for the erection of a new theater in South Martinsville to cost \$15,000. Plans for the new structure to be built on South Starling Avenue are now being prepared by a local architect and work will start as soon as they are completed.

Pereira in Three Projects

Chicago.—Pereira and Pereira, theatre architects, are completing plans for the new RKO exchange building in Philadelphia, and the new exchange building in Boston is now building. Pereiras' plans are also being used in the building of the new Paramount Theater in Miami Beach.

Lee Converting Store

Winchester, Ky.—S. D. Lee, of the Winchester Amusement Co., is remodeling a store building here for use as a theater.

New Esquire Theater Now Open in Frisco

San Francisco.—The Esquire Theater opened here recently on the site of the old Davies Theater on Market Street.

The Davies was taken over several months ago by the Blumenfeld circuit and has been completely remodeled and re-equipped with 1000 loge type International seats. The latest in sound equipment, and some new innovations in decorations have been installed. The interior walls have been decorated with murals treated with a "black light" substance, which gives a third dimensional quality to the paintings.

The new theater gives Blumenfeld's a "quality" house on Market Street.

Diesels Gain Favor

Peoria, Ill.—The Caterpillar Tractor Company reports Caterpillar Diesel engines are now being used by several film theatres in Central America. They will shortly send out full details of the installation to the trade, throughout the country. The organization has just issued a 32-page booklet on Diesel engines, featuring eight engine models, listed according to their horsepower.

New Joy for Hughes

Taylorsville, Ky.—Rebuilding of the Joy Theater here, which recently was destroyed by fire, nears completion and will reopen soon under ownership of M. C. Hughes, who also operated theaters at Manchester, McKee and Beattyville, Ky.

Ritz Made Colorful

Weatherly, Pa.—Ivory with brown trim is the new color scheme of the lobby of the Ritz Theater which has been redecorated. New frames also have been placed on the lobby walls.

M. & N. Better Oliver

Detroit.—Moule and Newman Circuit, which has just taken over the Oliver Theater, is starting remodeling of the house, including new front, sign, and marquee.

Bob Johnson Expanding

Newton, Ia.—Robert M. Johnson, operator of the Iowa theater at Newton has started remodeling an adjoining building to be used as a second theater for the city. Work is expected to be completed in February.

Alvin to be Ready In Few Weeks Time

(Continued from Page 1)

60 days, it is declared by the agent for Harvard University, the owners of the building. The theater was leased and operated by the Harris Amusement Co.

The recent disaster to the historic old Alvin, which would have been much more serious had it not been for the quick action and presence of mind on the part of the management and employees, and the fact that it occurred during the dinner hour lull, caused deep regret among theatergoers in this city.

Built 50 years ago, it was the first theater in the Western Pennsylvania territory and during the years the most famous stars of stage and screen played there. When road show plays began to wane 10 years ago, with the advent of talking pictures, the theater was closed for a year or two, and in 1933 was taken over by the Harris Amusement Co., remodeled and converted into a motion picture house and operated by that concern.

Dry rot was blamed for the collapse of the roof, which was of wood structure, although the latest building inspection reported it to be in good condition and perfectly safe.

Productions scheduled for showing at the Alvin have been moved to the Senator Theater, the other first-run theater in the downtown section operated by the Harris Amusement Co.

Humphreys Opens House

Oklahoma City, Okla.—Chet Humphreys, has opened his new Log Cabin Theater in the 2600 Block on Northwest Thirty-Ninth Street. The house, seating 400, is located just out of the city limits by a few feet. Parking space for 800 cars is available to the Log Cabin patrons.

Palace Improves Front

Canton, O.—Complete renovation of the front of the Palace theater here has been completed, George A. Delis, district manager of Tri-State Theaters, Inc., operators, has announced. Entire front has been done over, including display cases.

Maguzzi to Build

Nuremburg, Pa.—P. A. Maguzzi, owner of a circuit of theaters in Pennsylvania, will open a new house here shortly. He is remodeling a building and will install modern equipment throughout. He also is engaged in remodeling his theater at Coplay, Pa.

Abbey Gets Improvements

Abbeville, Ala.—Improvements just completed at the Abbey Theater include an improved sound system, overhauling of all machines, and swinging doors to replace a curtain at the auditorium entrance.

Potwin-Schlanger Design is Popular

The new 750-seat Westville Theater in New Haven, Conn., which opened recently, is the third one of its type recently constructed in which the new comparatively flat floor slope and new acoustical design is used. The other two theaters are the Whitney in Hamden, Conn. and the Pix in Rock Hill, S. C.

The success of the first examples has encouraged the exhibitors to repeat these new design ideas.

Two more theaters, one in Brooklyn, N. Y., and one in Brockway, Pa., are under construction according to the new design approach. C. C. Potwin of the Erpi Acoustical Research Department and Ben Schlanger, theater architect, are the designers of all these theaters.

All dust collecting absorptive acoustical materials are eliminated and fully unobstructed vision of the screen is assured in these designs.

Vinson Will Remodel

Sebring, Fla.—P. L. Vinson, owner of the Circle Theater, is announcing that at the close of the present season the theater will be remodeled and enlarged. The seating capacity is to be increased from 475 to 700. New sound equipment and screen will be installed. Wm. Heim, of Avon Park, is the architect.

Para. Selects Hearing Aids

Miami, Fla.—Paramount Enterprises, Inc., is featuring telescopic sound aids for the hard of hearing in its four newly constructed houses here. The equipment enables patrons to sit in any seat in the house and hear by means of short wave radio receivers held in their laps what the screen actors are saying.

Faith Branching Out

Bristol, Conn.—Joseph Faith, exhibitor in Terryville, Unionville, and Collinsville, is planning to convert the Red Men's Hall here into a 700-seat motion picture theater. Warner's run the Cameo and new Bristol here.

Robb-Little Draw Plans

Concord, Mass.—Plans are being drawn by Architects Robb & Little, of 250 Stuart Street, Boston, for Julius Meyer, who plans a new \$50,000 theater on Main Street here. Details have not been decided.

Hopper Buys Equipment

Liberty, Ky.—Oscar Hopper has installed new projector mechanisms, screen, lens and sound in his Allen Theatre here.

Apollo Resumes Biz

Belvedere, Ill.—The A. L. Hainline circuit's Apollo theater has been re-opened after a complete modernization job.

Cavallo and Lautaret To Build Colossal New 6,000-Seat Pic House In Buenos Aires

Cable from Buenos Aires, Argentina, states that the largest film theater in all Latin-America,—a 6,000-seater,—will be erected there at Tucuman and Suipacha Sts. Owners will be Pablo Cavallo and Joaquin A. Lautaret who currently operate the Gran Rex, seating 3,297; Ambassador, 1,400; Florida, 1,829; co-owners with Clemente Lococo of the Opera, 2,530, and of a circuit of 12 suburban theaters, as well as co-tenants, also with Lococo, of the Broadway, 1,851, the Suipacha, 942, and of the Normandie, 1,600.

DeAngelis Lists Jobs Under Way and Planned

(Continued from Page 1)

shortly and will have its formal opening about Jan. 1. Paris Construction Co. of Buffalo is the contractor.

Also around the New Year, the Star Theater being built in Tonawanda for the Dipson circuit will open. Contractor for this house is Mayo Construction Co. of Rochester.

Last Tuesday the Colonial Theater in Elmira shuttered for complete renovation, including new balcony, new front and complete interior. John Cunningham Estate of Elmira is contractor on this job which is for Fred Schweppe and Dipson & Osborne.

The Grand Theater, recently destroyed by fire in Westfield, N.Y., and owned by Kenneth Blakely, will be demolished and a new edifice comprising a 900-seat theater and stores will be constructed. Most up to date design and equipment will be incorporated.

The Cuba Theater, Martina circuit house in Cuba, N. Y., is to be remodeled this winter for summer occupancy.

DeAngelis has just received the new construction contract for the theater and store building in Wilkes-Barre, Pa., for the Comerford interests. Project calls for a 1,000 seat house and four stores.

To Rebuild Lyric

Terrell, Tex.—The Lyric Theater, which was destroyed by fire recently, will be rebuilt, says Leaman Marshall, manager. The loss of approximately \$30,000 was covered by insurance. Work of rebuilding will begin as soon as possible.

Comerford's Latest on Way

Wilkes-Barre, Pa.—Work is about to be started on the Comerford Theater Circuit's new nabe house in the city. It will be erected on the firm's land, Carey Avenue in South Wilkes-Barre.

Fox In Denver Open: Two More N. M. Houses

Denver—Fox has opened their new Fox Theater at La Junta, Colo., where the house was constructed on the site of the old Rourke.

J. J. Goodstein intends keeping his Lincoln here, newly remodeled, closed until about March 1, when it is expected most of the units in the 350-family housing project nearby, will be occupied.

John W. Drake is building a new 340-seat house in Ft. Sumner, N. M. Harry S. and Russell Allen are building a new 240-seat house in Aztec, N. M., to be named the Aztec. This replaces the former theater destroyed by fire.

Meyers-Schwartz in Venture

Winchester, Ky.—George B. Meyers, Frankfurt, and Harry Schwartz, Lexington, have opened a new theater here.

Marshall Re-Opens The Grundy In Iowa

Grundy Center, Ia.—The Center, Grundy Center's new motion picture house had its formal opening last night under direction of John Marshall, part owner and resident manager for the American Theater company which rebuilt the house on the same location after fire destroyed the former landmark.

The new building is of cement block construction, with face brick front and entirely fireproof. The floors are cement, and the walls are insulated and soundproofed. The latest in sound and projection equipment has been installed.

Lobby is designed in red tones, with the foyer finished with lacquered imported paper. The auditorium colors are rust, red and blue of different shades with draw screen curtains of gold.

Ready Plans For Marjui

Bridgewater, Mass.—Plans are expected to be ready in about a month for a new 750-seat theater here, for Marjui Theater Co., to cost \$100,000 with all equipment included in the general contract. Present plans calls for a one-story brick building, 108 x 155, to include four stores.



"MAYBE I'D BETTER THINK THAT OVER!"

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PROSCENIUM CHATTER

DOWN in Daytona Beach, Fla., W. R. Lovett, new owner of the Burgoyne block, has taken out a building permit for a new structure, a part of which is to be used for a motion picture theater. George W. Steel has been awarded the contract.

Bill Sonneman is soon to open his new Uark in Fayetteville, Ark., as a unit in the M. A. Lightman circuit.

Albert Duclos is planning construction of a theater and apartment block at Longueuil, Que., near Montreal. In fact plans have already been prepared by L. J. T. Decary, architect.

Henry Helriegel, theater builder and decorator of Cleveland, has just completed repainting and redecorating the Detroit Theater which is owned by M. S. Fine and Max Lefkovich.

From Findlay, O., is flashed word that Walt Steuve has re-opened his Lyceum Theater which was closed for 'bout a month for a complete overhauling. Among other things, Walt increased seating capacity to 300, had new concrete floor put down, and installed a flock of 'new equipment.

With Archie Clemons' new Nitro, Nitro, W. Va., set to open on Dec. 15, the busy Archie is planning another house to go up in Cedar Grove, W. Va.

Up in Rochester, N. H., E. Morrison Douglas has been named manager of the City Opera House, as successor to Elihu L. Webster, who died recently.

Adrian Kreiger, manager of the Terril Theater, Terril, Ia., claims that the work of redecorating the house has been finished, and, well, you should lamp those 230 new chromium-trimmed seats!

Lou Kaplan is erecting a 680-seater in Santa Barbara, Cal., and it's to be known as the "Rose." How many's it got Lou?

From Des Plaines, Ill., issues word that the Benjamin Electric Mfg. Co. has introduced to the trade a new lamp-shielding lower for their "Stream-Liter" fluorescent lighting fixtures.

O. W. Keeler is building a new 300-seater theater in Kalkaska, Mich., which now lacks a movie palace. Contract for virtually all equipment was awarded to Ernie Forbes Theater Supply, including RCA sound and screen, Brenkert projectors and lamps, International chairs, and Bigelow carpets.

Those Detroit theater architects, Messrs. Wright and Rogvov, are designing three major jobs in that general area. Two are new theaters—the Mel in Melvindale for Louis Schluskel, and the Television, Detroit, for Saul Sloan. Third is a large remodeling contract for I. J. London circuit's Rex.

Arkansas Exhibitor Made Good Use Of Boxes; So We Use This One To Tell You What He Did:

The innocuous egg box, with its cup-shaped liners, was manna to the operator of the Altus Theater, Altus, Ark. The astute gent, when house was being constructed, is said to have taken the egg box liners and incorporated them into structure of auditorium's rear wall, in order to absorb sound. From all reports, the idea worked out satisfactorily, but in its history, the rear wall is "the next thing to a shell."

Sparks Set to Build Another In Sarasota

Sarasota, Fla.—E. J. Sparks, head of the Sparks Theaters, Inc. of Florida, is announcing that a new motion picture house will be provided for the city. Work is to start at once on remodeling the old Garden Theater and the project will involve an expenditure of approximately \$5,000.

The old seats have been donated to the Salvation Army. Sound equipment with the new wide angle projections will be installed. First-run pictures will be shown.

State Opens Dec. 15

Tampa—The State Theater, independent house operated by B. E. Gore, which has been under construction for some time, is rapidly nearing completion and plans have been made to open it on or about December 15th. Warner Bros.-First National product will be featured in the house which is located on Franklin Street, Tampa's main business thoroughfare. Gore also operates the Howard and Rialto Theaters, subsequent runs which exhibit Warner features, and is constructing a new suburban house on Nebraska Avenue.

To Better Warner Stands

New Haven—Warner's will close the 1,340-seat State, South Manchester, December 16 to 24 to finish the current renovation job, which provides for new marquee, lobby, lighting, carpets, and redecoration. Warner's will complete a similar job at the 1,600-seat Cameo, Bristol, this week, and at the 929-seat Rialto, South Norwalk, in a month.

Proffen Reopens Star

Ft. Branch, Ind.—The Star Theater here has been renovated and remodeled and recently opened by Woodrow Proffen. The house has been closed during the Summer months.

Robins Plans New House

Warren, O.—Dan Robins, owner of the Ohio and Robins Theater, contemplates construction of a new theater here. George Ehling, Cleveland architect, is reported preparing plans.

Williston Chooses Hertners

Indianapolis — Dudley Williston, circuit operator, has purchased two Hertner Transverter's, one for his Park here and the other for his Lyric Theater, Louisville, Ky.

Ky. and W. Va. Houses Obtain NTS Equipment

Cincinnati—National Theater Supply's offices here have just supplied two new houses with a considerable amount of equipment.

Theaters are Dr. J. S. Cornn's Bell in Pineville, Ky., which ordered Irwin chairs, Walker screen, Super-Simplex projector, Simplex Hi lamps, Crestwood carpet and Simplex reflectors; and James Roberts' New Theater, Oceana, W. Va., which received a Walker Plastic screen, Super-Simplex projector, Simplex Hi lamps and Simplex reflectors.

Movies For Soldiers

Tullahoma, Tenn. — Crescent Amusement Co., of Nashville, is rushing a new movie house to completion here in anticipation of the coming to Camp Peay of 25,000 to 30,000 soldiers early next year. Other houses at nearby Manchester and Winchester are being enlarged and remodeled for the same purpose. As a part of the social center of the camp itself the Government will construct two movie theaters.

New Heating Installed

Parsons, Tenn. — A new steam heating plant has been installed in the Rustic Theater by Owner John Goff and the heating plant formerly used in it has been installed in a theater at Bruceton also owned by Mr. Goff.

Wilder Signs with Altco

Norfolk, Va.—El Wilschke, Altco representative from Philadelphia, has signed contracts with William S. Wilder for the servicing of the entire Wilder Circuit located in Norfolk, Portsmouth, Newport News and Roanoke.

Register to Build

Starke, Fla. — Freeman Register has given a contract to Ben F. Hall, builder, for the erection of a \$15,000 structure to house a new motion picture theater. The building will be 105 feet by 64 feet.

New Marquee For Rialto

Searcy, Ark.—The Rialto has installed a new 67-foot marquee. The sign has 300 feet of Neon tubing which varies in three colors.

Repaired Stand Resumes

Marshall, N. C.—The Princess Theater here, which suffered severe flood damage some weeks ago, has reopened.

EQUIPMENT FIELD NOTES

CONGRATS to L. H. Walters, who, on the last day of November, celebrated his fifth anniversary as manager of the Cleveland branch of National Theater Supply!

Jack Saranga has done wonders with his Royal Theater up in Fall River, Mass.—and it wasn't done with mirrors, but via the offices of Joe Gifre, Inc., of Boston. Later, remodeled the front, built a new lobby, removed steps and ramped floor, erected a new box office, put up a new marquee and signs, plus adding premium display windows and photo cases.

Repainting project is underway at Loew's Rochester, N. Y. Theater. Men's and women's lounges are being redecorated, with other improvements to follow.

Bob Wixon's Vermont, in Vermont, Ill., is back in full operation after a fire damaged the sound equipment. RCA Phonophone's representatives replaced the wholly disused apparatus and had the ole b.o. busy again the jig time.

The Rialto, Elyria, Ohio, dark for several months, will be rebuilt and reopened by the Rialto Theater Co. Alterations are being designed by Silsbee & Smith, Elyria architects, and include a new front, general exterior and interior decorations, reseating and air conditioning.

You know that Chattanooga, Tenn., is getting a Trans-Lux theater? Well, Abe Solomon, prexy of Independent Theater Inc., which firm will operate the house, says that he's completed final arrangements for opening the house, and that he'll announce 'em pronto.

N. G. Anas, upper Ohio valley exhib., has completed the remodeling of the Manas Theater at Wierton, W. Va.—close by Steubenville, Ohio,—and has changed the name of the house to the Anas. A new front and marquee have been installed. Auditorium has been redecorated and new appointments added.

C. C. Mando is going to manage the new Liberty Theater which E. W. Pickborne, prexy of Central Amusement Co., and his colleagues are building in North Little Rock, Ark.

Yesterday, in Charleston, W. Va., Albert and Charley Aaron opened their ultra-modern West Theater, and 'twas quite a debut, too, with much bally et al.

Hot off the new griddle is fact that A. L. Royal is set to construct a new 500-seater down in Meriden, Miss. This "Royal" showman, y'know is a Gulf-porgi gent.

That up-and-doing anthracite community Freeport, Pa., now has three theatres going full blast, since the Rialto opened there last week-end. House operates the last four days of each week. It's equipped with W. B. sound.

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 112

NEW YORK, MONDAY, DECEMBER 9, 1940

TEN CENTS

AVOID ARBITRATION, 20th-FOX WARNING RKO Trims Program, Concentrates on Major Pix

**Company Will Deliver 39
For 1940-41; Production
Pace on Coast Quickening**

By RALPH WILK

West Coast Bureau of THE FILM DAILY
Hollywood—While announcing 53 pictures, including "The Ramparts We Watch," for the 1940-41 season, RKO's current program will consist of 39 features, it was determined by a FILM DAILY production check-up. It was explained that the lineup had been reduced by eliminating some of the less important pictures so that greater effort could be concentrated on the major productions. Twenty-five features on the current

(Continued on Page 7)

Ohio Cities Would Levy on Amusements

Columbus, O. — Admissions tax legislation is virtually certain to be introduced in the General Assembly which convenes the first week in January.

City officials at a state-wide meeting in Cleveland last week recommended the passage of a state law

(Continued on Page 8)

Griffis Buys Para. Stock; Kent Sells 20th-Fox Com.

Washington Bureau of THE FILM DAILY
Washington—Acquisition of 2,500 shares of Paramount's \$1 par common stock by Stanton Griffis is reported today in the SEC semi-

(Continued on Page 7)

Kuykendall and Loewenstein Going on Air To Discuss Exhibs.' Problems and Decree

Oklahoma City—A radio round-table panel discussion over KOMA, will be held next Sunday, with Ed Kuykendall, MPTOA prexy, Morris Loewenstein, president of the Oklahoma Theater Owners, Inc., and national secretary of the MPTOA, and Neal Barrett, manager of the station participating.

Broadcast will be the day before the annual convention of the state exhibitors' association at the Skirvin Hotel. The discussion will center around problems of the industry from the standpoint of the exhibitor and is expected to acquaint the Oklahoma public with the consent decree provisions and MPTOA's stand. Program was requested by the station.

Balaban is Cleared In Contempt Action

Chicago — Special Master Edgar Eldredge finds no evidence of guilt on the part of Barney Balaban in the United States vs. B & K criminal contempt case and recommends that Balaban be found not guilty and the proceedings dismissed.

This was revealed in an amended report which corrects the Master's previous report in which he erroneously recommended that Balaban be found guilty of violating the 1932

(Continued on Page 6)

Welles to Control All His Activities from the Coast

West Coast Bureau of THE FILM DAILY
Hollywood — Orson Welles announced he has revised his operations plan so that all his film, stage, radio and publishing activities will be controlled from his Hollywood office. He is at work on writing of his second

(Continued on Page 7)

Canadian Grosses, Earnings Advancing

Canadian theater grosses and exchange earnings have increased "appreciably" in the last nine months and especially during the last 13 weeks, according to Leo Devaney, RKO's general manager in Canada, who is in New York for home office conferences.

Not only is the amusement business good but there is a noticeable increase in theater construction, Devaney said.

Patronage naturally is up where

(Continued on Page 6)

Canadian Distribs. Will Name Association Prexy

A president of the Canadian Motion Picture Distributors Association is expected to be elected within the next 30 or 60 days. This is the group which formerly was affiliated with the MPPDA and recently sev-

(Continued on Page 7)

Expensive, Will Take Up Valuable Time, Sales Staff Told by Co.'s Counsel

Acting at the direction of Prexy Sidney R. Kent, 20th-Fox general counsel, Felix A. Jenkins, has sent a letter to all of the company's division and branch managers advising that "it is extremely important that you so conduct our business that we will not be drawn into arbitration."

Letter warns that arbitration proceedings will be "expensive" and, additionally, will "take up valuable time." Managers are informed that selling clearance is a part of selling pictures under the consent decree. Jenkins adds:

"An exhibitor's complaint that his

(Continued on Page 8)

Film Players Flood Broadway Stages

On-to-Broadway movement on the part of film players who have been on the stage previously, film players who have not been on the stage and stage people who have appeared in pictures, is larger this year than in years, according to a survey of the

(Continued on Page 8)

Conn. Allied, MPTO Meet Jointly on Legislation

New Haven—All exhibitors in the territory are invited to attend a joint meeting of the State's two exhib. groups tomorrow at Ceriani's Restaurant

(Continued on Page 7)

Bank, Quiz Nights Given Boston Okay

Boston — Bank Night has been tacitly approved by the powers in this territory and will be one of the very few games permitted to continue, under the recent ruling of the Massachusetts courts. The new Quiz Night idea also has been given official approval as being a game of skill and therefore not in any sense a lottery.

Threat to U. S. Pix in Mexico Discriminatory Legislation in New Congress

Golden Joining Weeks In Production Venture

Edward Golden, former Monogram sales manager, will be associated with George W. Weeks in the production of a series of westerns for Monogram release. The series will be apart from the Range Busters now being produced by Weeks.

By MARCO-AURELIO GALINDO
FILM DAILY Staff Correspondent
Mexico City (By Air Mail)—Cutting of Mexican playing time for American-made pictures to less than half of what it is now, looms as a possibility if a measure which native producers have introduced in the new Congress is passed which would call for all exhibitors through-

(Continued on Page 7)

108 Re-issues Give Spot Booking Mark

Booking a total of 108 old pictures during the past 18 weeks, the New York 20th-Fox branch, managed by Harry Buxbaum, has set a new record for spot bookings by company branches. Pictures, which were from one to five years old, were said to have been booked so solidly that all available prints were constantly in use.

THE FILM DAILY

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DONALD M. MERSEUREAU : General Manager
CHESTER B. BAHN : : : : : Editor

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FINANCIAL

(QUOTATIONS OF FRIDAY, DEC. 6)

NEW YORK STOCK MARKET

Am. Seat.	9 1/2	9	Low	Close	Chg.
Col. Pict. vtc. (2 1/2%)					
Columbia Pict. ptd.	21	21	21		
Con. Fm. Ind. ptd.					
East. Kodak	139 1/4	139 1/4	139 1/4		+ 1 1/4
do ptd.	178 1/2	178 1/2	178 1/2		+ 3
Gen. Tel. Eq.	30 1/2	30 1/2	30 1/2		+ 3 1/4
Loew's, Inc.	108	108	108		+ 1 1/2
do ptd.	10	9 7/8	10		+ 1/4
Paramount	98	97 7/8	98		+ 1/4
Para. 1st ptd.	10 1/2	10 1/2	10 1/2		+ 1/4
Para. 2nd ptd.	10 1/2	10 1/2	10 1/2		+ 1/4
Pathe Film	10 1/2	10 1/2	10 1/2		+ 1/4
RKO	5 1/2	5 1/2	5 1/2		+ 1/4
20th Century-Fox	5 1/4	5 1/4	5 1/4		+ 1/4
20th Century-Fox ptd.					
Univ. Pict. ptd.	105	101	105		+ 1/4
Warner Bros.	3 1/2	3	3 1/2		+ 1/4
do ptd.					

NEW YORK BOND MARKET

Keith B. F. ref. 6646					
Loew's deb. 3 1/2% 46	104 1/2	104 1/2	104 1/2		+ 1/4
Para. B-way 3 1/2%	51 1/2	51 1/2	51 1/2		+ 3/4
Para. Pict. 6555					
Para. Pict. cv. 3 1/4% 47 96	96	96	96		+ 1/2
Warner Bros. deb. 6 1/2% 48	92	92	92		+ 1/2
Monogram Pict.	7 1/2	7 1/2	7 1/2		+ 1/4
Dodge-Kelch war.	3 1/2	3 1/2	3 1/2		+ 1/4
Sonotone Corp.	4 1/2	4 1/2	4 1/2		+ 1/4
Technicolor	9 1/2	9 1/2	9 1/2		+ 1/4
Trans-Lux	1	1	1		+ 1/4
Universal Corp.	4 1/2	4 1/2	4 1/2		+ 1/4
Universal Pict.	12 1/2	12	12		+ 3/4

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. '45					
Royce Tech. Bldg. 4s 1st '57	65	65	65		+ 3/4

RCA Declares 3 Dividends

RCA, for the October-December quarter, will pay 87 1/2¢ per share on its outstanding shares of \$3.50 cumulative convertible first preferred and \$1.25 on the outstanding "B" preferred on Jan. 1 to holders of record Dec. 13. Dividend of 20c on outstanding common will be paid Jan. 27 to holders on Dec. 20. Dividends were declared at a board meeting Friday.

The Broadway Parade

Picture and Distributor	Theater
North West Mounted Police (Paramount-De Mille)—5th week	Paramount
The Letter (Warner Bros. Pictures)—3rd week	Strand
Tin Pan Alky (Twentieth Century-Fox)—3rd week	Roxby
The Thief of Bagdad (United Artists-Korda)	Music Hall
The Son of Monte Cristo (United Artists-Small)	Capitol
8 about (United Artists)—2nd week	Globe
The Hit Parade of 1940 (Republic Pictures)	Criterion
Little Men (RKO Radio Pictures)	Rivoli
Trail of the Vigilantes (Universal Pictures)	Rialto
Under Texas Skies (Republic Pictures) (a)	Central
Who is Guilty? (Monogram Pictures) (a)	Central
The Lady in Question (Columbia Pictures)	Bryant
It's in the Air (Universal Artists-Daan)	Little Carnegie
You'll Find Out (RKO Radio Pictures) (a-b)	Palace
Lady With Red Hair (Warner Bros. Pictures) (a)	Palace

♦ TWO-A-DAY RUN ♦

The Great Dictator (United Artists-Chaplin)—9th week	Astor
Fantasia (Walt Disney Productions)—4th week	Broadway

♦ FOREIGN LANGUAGE FEATURES ♦

The Baker's Wife (The Baker's Wife Co.)—40th week	World
The Man of the Hour (Trio Films)—3rd week	55th St. Playhouse

♦ FUTURE OPENINGS ♦

Moon Over Burma (Paramount Pictures)—Dec. 11	Paramount
One Night in the Tropics (Universal Pictures) (c)	Roxby
Third Finger, Left Hand (Metro-Goldwyn-Mayer Pictures)—Dec. 11	Capitol
No. No. Nanette (RKO Radio Pictures-Wilcox)—Dec. 19	Music Hall
Victory (Paramount Pictures) (c)	Rivoli
San Francisco Dock (Universal Pictures) (c)	Rialto
Santa Fe Trail (Warner Bros. Pictures)—Dec. 20	Strand
Seven Sinners (Universal Pictures)—Dec. 12 (a-b)	Palace
The Bank Dick (Universal Pictures)—Dec. 12 (a)	Palace

(a) Dual bill. (b) Subsequent run. (c) Follows current bill.

20th-Fox English Biz Reported Off 30 P. C.

The 20th-Fox foreign department reported at the week-end that it had received word from its manager in Holland, Louis Groen, for the first time in many months.

A report on the company's business in England indicated a decrease of almost 30 per cent in revenue over the same period a year ago, due to increased bombing activities by the Nazis in Midland industrial cities and important coastal cities.

It was said many theaters have been hit in areas receiving the brunt of the Nazi attack, but that where repairs are practical they have been made and the houses were operating again in a very short time. F. L. Harley, company's managing director in Great Britain, is expected here shortly before Christmas by Clipper from Lisbon.

Jack Ellis Will Retire As MP Associates Prexy

Meeting of the Motion Picture Associates will be held Wednesday, Dec. 18, at the Hotel Astor at 12.30. Following the luncheon there will be a nomination of officers and a report of the annual dinner and dance will be made. Jack Ellis, president, told THE FILM DAILY that he would not run for a fourth term as he did not want to "establish a precedent." It was reported that Joe Lee, Moe Sanders and Nat Beier are potential candidates for the presidency.

Forms Mich. News Reel Co.

Detroit-Michigan News Reel Co. is being incorporated by Theodore Sirene, with offices in the Dime Bank Building.

"Alley" Best 20th-Fox Money Pix in 18 Months

With "Tin Pan Alley," new 20th-Fox musical, continuing to play to heavy business all over the country where it has been released, picture had already piled up larger grosses for the time it has been in release than "The Rains Came," company's biggest money maker last year, and home office execs. Friday were optimistic that it would hit the big gross mark established by "Jesse James." Picture, which statistics show to be the company's biggest money maker in the past 15 months, is also cleaning up in second-run situations, it was said.

Picture has also to date outgrossed "Alexander's Ragtime Band" in some 17 key situations.

"The Mark Of Zorro" was also continuing its strong business, with seven fourth week holdovers.

Nathanson to Appoint Forum Films Distrib.

West Coast Bureau of THE FILM DAILY Los Angeles—Sam Nathanson, vice-president and general manager of Forum Films, Inc. left yesterday for a tour of key cities of the country. He will appoint distributors for the various exchange territories to handle 16 and 35 mm. educational product being made by Forum.

First two subjects completed are "I Want a Job" and "Minutes Are Pennies." Six new subjects are in production. Company plans to make 26 subjects a year.

B & K Declares \$1.50 Dividend

Chicago—B & K directors voted a \$1.50 dividend Friday on common stock payable Dec. 28 to stockholders of record Dec. 14, making \$4.50 paid this year against \$3 paid last year.

COMING and GOING

ARTHUR W. KELLY, vice-president in charge of sales for United Artists, left over the week-end for Pittsburgh, St. Louis, Chicago and Omaha.

LEO DEVANEY, RKO's Canadian manager, and WALTER BRANSON, Chicago district chief, are here for a few days.

WILLIAM COHEN, 20th Century-Fox traveling auditor, is in Oklahoma City.

RAY BELL of M-G-M's publicity staff is in Washington.

FRED MATHEWS, president of Motiograph, is in town and stopping at the Hotel Lincoln. HERMAN WOBBER and WILLIAM SUESSMAN returned from Boston over the week-end.

ALLAN DWAN, BORIS MORROS and MERVIN HOUSER are at the Sherry Netherland.

BERT MACKENZIE, M-G-M exploitation director in the Boston territory, plans to spend the holidays at his farm in upstate New York.

MELVYN DOUGLAS plans to be in New York shortly.

BORIS KARLOFF is here from the Coast.

KENNY and MRS. BAKER are at the Warwick.

PRISCILLA LANE returned to Hollywood Friday.

ALLYN JOSLYN is due in town today.

M. MARCUS, M-G-M manager in Shanghai, is in town.

LUCILLE BALL is a guest at the St. Moritz.

General Register Will Expand Factory Here

General Register Corp. will expand its factory facilities by tripling or quadrupling the present capacity, it was disclosed on the week-end by Bruce Johnson, president of the organization.

Move will be made, it is understood, to care not only for domestic production but also of product heretofore made in England.

Johnson said that the concentration of manufacture in the U. S. will provide for the dispatch here of a group of London experts familiar with every aspect of the mutual manufacturing efforts to be undertaken under the new arrangement.

Freshman Rites in Syracuse

Syracuse, N. Y.—Funeral services were held here yesterday for Earl I. Freshman, for many years upstate counsel for Ascap. Death occurred Friday from a bullet wound, said self-inflicted.

Happy Birthday to You



From THE FILM DAILY to Edward J. Dowling Mark Hamilton Bert Spettis R. M. Blumenthal Douglas Fairbanks, Jr.

PARAMOUNT'S "SECOND CHORUS" PARAMOUNT'S "SECOND CHORUS"



THE SOLID SOUTH IS SOLID FOR "SECOND CHORUS"

Theatre executives from five leading circuits in the heart of the South joined in cheering the Memphis showing of the new **Fred Astaire-Paulette Goddard** musical comedy romance, **"SECOND CHORUS"**...

"Will be one of the biggest hits of the season. Paulette Goddard is really the surprise actress of any year. Teamed with Astaire, she is positively remarkable. Astaire's dancing tops anything he's ever done before!"

—M. A. Lightman,
Malco Theatres, Memphis



"One of the most delightfully entertaining pictures I've seen in years!"—R. X. Williams, Pres.
M.P.T. O.A., Mississippi

... and Circuit Executives Dave Flexer, Benny Ridblatt, of Memphis, and W. F. Ruffin of Covington, Tenn., chime in the chorus of praise with:

"A certain box office smash hit!"

FRED ASTAIRE PAULETTE GODDARD "SECOND CHORUS"

A Paramount Picture with

Artie Shaw and his Band • Charles Butterworth
Burgess Meredith • Produced by Boris Morros

Directed by H. C. Potter • Original Story by Frank Cavett • Screen Play by
Elaine Ryan and Ian McLellan Hunter



**The Solid South will have a Happy New Year
with "SECOND CHORUS"**

PARAMOUNT'S "SECOND CHORUS" PARAMOUNT'S "SECOND CHORUS"

GENE AUTRY'S FIRST \$500,000

MELODY



GENE AUTRY ★ **JIMMY**

and **BARTON MacLANE** • **BARBARA ALLEN** (VERA VAGUE) • **GEORGE**

100 ALL-STAR PRODUCTION

RANCH

A *Republic*
PICTURE

DURANTE ★ **ANN MILLER**
"Rabby" **HAYES** · **JEROME COWAN** · **MARY LEF**
JOSEPH SANTLEY
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Conn. Allied, MPTO Meet Jointly on Legislation

(Continued from Page 1)

rant, for discussion of legislation which may be brought before the coming session of the State Legislature. A. M. Schuman, president of Allied Theater Owners of Connecticut, and Irving C. Jacobs, Jr., vice-president of Connecticut MPTO, will preside.

It is expected that the group further will also discuss provisions of the consent decree.

At 10 a.m. tomorrow all film bowling enthusiasts, whether connected with exhibition, distribution or allied industries, are asked to gather at the 20th-Fox projection room for a meeting sponsored by Connecticut MPTO for organization of a state film bowling league.

announced serials. Two pictures are in work.

Monogram has completed and released 16 of its announced 42 pictures, all of which will be made on schedule. Two pictures are before the cameras, and eight are in preparation.

Canadian Distribs. Will Name Association Prexy

(Continued from Page 1)

ered its connections to become independent of the Hays organization.

It has been agreed that the new head will be one of the Canadian general managers of a major company. Meanwhile, Col. John Cooper is acting as executive secretary of the organization.

Boston College-Holy Cross Game Pix in Hub Theaters

Boston — If the Boston College football players do not know every angle of the recent game played with Holy Cross, then it must be because of inability to see. The squad has been guests of no fewer than six film houses during past six days, in each of which pictures of the game which won the Sugar Bowl date for Holy Cross were shown. Coach Leahy said last night that he believed the exhibits were hopeful that in some showing Holy Cross would fail to fumble and might score. Football pix currently is triple featured with "Third Finger, Left Hand" and "Dr. Kildare's Crisis" at both Loew's State and Orpheum.

Prosecutor Sends Regrets So Gambling Forum Flops

Milwaukee — A Milwaukee Woman's Club symposium on "Gambling—A Challenge to Milwaukee Officialdom," at which it was hoped to secure some indication from law enforcement officials concerning their attitude toward policy games, Bingo and gambling in general, turned out to be a flop when District Attorney Herbert J. Steffes sent his regrets because he was required to prosecute a murder trial.

Members of the club were particularly interested in learning from Steffes why he was failing to fulfill the requirements of the law with reference to policy games and Bingo. Although Bingo has been outlawed by the State Supreme Court, the Bahn Frei hall here continues to play it despite the fact that a circuit court injunction had been obtained by Charles W. Trampe, local distrib. and exhib. against the hall.

Payne, Wilcoxon Cast

West Coast Bureau of THE FILM DAILY "Hollywood—John Payne has been cast by 20th Century-Fox in an important role in "The Great American Broadcast," and Henry Wilcoxon to "Uncensored."

Threat to U. S. Pix Looming in Mexico

(Continued from Page 1)

out Mexico to play one native film for one week every four weeks, or for as many days at a time as are usually given to any one picture in smaller houses.

Likewise, theaters all over the country by terms of the bill would also be compelled to give one week a month to foreign-made pictures other than American films, with only the time left over going to the Hollywood product.

The bill also calls for the establishment of a financing institution which would be backed by the Mexican government to finance native production.

Generally, hopes of Mexican motion picture producers for a definite, strong pickup in production activities are rising on the strength of the inauguration of a new administration under President Manuel Avila Camacho. The confidence generally displayed towards his government is seen as a sign that new capital will now be poured into the industry.

Other plans are also under consideration which seek to support the long-ailing native picture industry, and there is talk of establishing a quota on imports of foreign-made films.

One of these plans calls for the owners of first-run theaters throughout the country to finance the production of their own pictures, should the number made by regular producers prove insufficient to help them to comply with the law's requirements.

Argentina may also feel the pinch if one of the clauses in the bill goes through. This would make it imperative for Argentine producers to take out a Mexican picture for distribution in the Argentine Republic for every Argentine-made one they introduce into Mexico.

Producers of the Southern republic have made a noticeable headway here in the past two years, with about three Argentine films now being released every two months.

Welles to Control All His Activities from the Coast

(Continued from Page 1)

production which will have a Mexican locale.

Welles's company, Mercury Productions, recently added two new officers and its personnel now is: John Houseman, president; Welles, Arnold Weissberger, Herbert Drake, vice-presidents; F. Newton Todhunter, secretary; Donald Lawrence, treasurer; Richard Baer, assistant secretary.

Fonda for "Swamp Water"

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Conn. Allied, MPTO Meet Jointly on Legislation

(Continued from Page 1)

rant, for discussion of legislation which may be brought before the coming session of the State Legislature.

A. M. Schuman, president of Allied Theater Owners of Connecticut, and Irving C. Jacobs, Jr., vice-president of Connecticut MPTO, will preside.

It is expected that the group further will also discuss provisions of the consent decree.

At 10 a.m. tomorrow all film bowling enthusiasts, whether connected with exhibition, distribution or allied industries, are asked to gather at the 20th-Fox projection room for a meeting sponsored by Connecticut MPTO for organization of a state film bowling league.

announced serials. Two pictures are in work.

Monogram has completed and released 16 of its announced 42 pictures, all of which will be made on schedule. Two pictures are before the cameras, and eight are in preparation.

Canadian Distribs. Will Name Association Prexy

(Continued from Page 1)

ered its connections to become independent of the Hays organization.

It has been agreed that the new head will be one of the Canadian general managers of a major company. Meanwhile, Col. John Cooper is acting as executive secretary of the organization.

Boston College-Holy Cross Game Pix in Hub Theaters

Boston — If the Boston College football players do not know every angle of the recent game played with Holy Cross, then it must be because of inability to see. The squad has been guests of no fewer than six film houses during past six days, in each of which pictures of the game which won the Sugar Bowl date for Holy Cross were shown. Coach Leahy said last night that he believed the exhibits were hopeful that in some showing Holy Cross would fail to fumble and might score. Football pix currently is triple featured with "Third Finger, Left Hand" and "Dr. Kildare's Crisis" at both Loew's State and Orpheum.

Prosecutor Sends Regrets So Gambling Forum Flops

Milwaukee — A Milwaukee Woman's Club symposium on "Gambling—A Challenge to Milwaukee Officialdom," at which it was hoped to secure some indication from law enforcement officials concerning their attitude toward policy games, Bingo and gambling in general, turned out to be a flop when District Attorney Herbert J. Steffes sent his regrets because he was required to prosecute a murder trial.

Members of the club were particularly interested in learning from Steffes why he was failing to fulfill the requirements of the law with reference to policy games and Bingo. Although Bingo has been outlawed by the State Supreme Court, the Bahn Frei hall here continues to play it despite the fact that a circuit court injunction had been obtained by Charles W. Trampe, local distrib. and exhib. against the hall.

Payne, Wilcoxon Cast

West Coast Bureau of THE FILM DAILY

Hollywood — John Payne has been cast by 20th Century-Fox in an important role in "The Great American Broadcast," and Henry Wilcoxon to "Uncensored."

Threat to U. S. Pix Looming in Mexico

(Continued from Page 1)

out Mexico to play one native film for one week every four weeks, or for as many days at a time as are usually given to any one picture in smaller houses.

Likewise, theaters all over the country by terms of the bill would also be compelled to give one week a month to foreign-made pictures other than American films, with only the time left over going to the Hollywood product.

The bill also calls for the establishment of a financing institution which would be backed by the Mexican government to finance native production.

Generally, hopes of Mexican motion picture producers for a definite, strong pickup in production activities are rising on the strength of the inauguration of a new administration under President Manuel Avila Camacho. The confidence generally displayed towards his government is seen as a sign that new capital will now be poured into the industry.

Other plans are also under consideration which seek to support the long-ailing native picture industry, and there is talk of establishing a quota on imports of foreign-made films.

One of these plans calls for the owners of first-run theaters throughout the country to finance the production of their own pictures, should the number made by regular producers prove insufficient to help them to comply with the law's requirements.

Argentina may also feel the pinch if one of the clauses in the bill goes through. This would make it imperative for Argentine producers to take out a Mexican picture for distribution in the Argentine Republic for every Argentine-made one they introduce into Mexico.

Producers of the Southern republic have made a noticeable headway here in the past two years, with about three Argentine films now being released every two months.

Welles to Control All His Activities from the Coast

(Continued from Page 1)

production which will have a Mexican locale.

Welles's company, Mercury Productions, recently added two new officers and its personnel now is: John Houseman, president; Welles, Arnold Weissberger, Herbert Drake, vice-presidents; F. Newton Todhunter, secretary; Donald Lawrence, treasurer; Richard Baer, assistant secretary.

Fonda for "Swamp Water"

West Coast Bureau of THE FILM DAILY

Hollywood — Henry Fonda will likely be cast for the stellar role in 20th-Fox's "Swamp Water."

Avoid Arbitration, 20th-Fox Warning

(Continued from Page 1)

clearance is unreasonable is subject to arbitration; if our job of selling is properly done the clearance we sell should never have to be arbitrated."

Calls for Scrupulous Observance

The general counsel outlined provisions of the decree in effect and warns that they "must be scrupulously observed, otherwise your company will be in contempt of court." Round table conferences designed to fully familiarize all sales personnel of 20th-Fox with the provisions of the consent decree will start Friday when Jenkins addresses the sales staff of Harry Buxbaum's New York exchange.

Similar meetings in the field, to be conducted by Jenkins and his two aides, Percy Heiliger and Norman Steinberg, will start on Jan. 2, with conferences in Los Angeles, Albany and Pittsburgh.

Jenkins personally will conduct meetings at 12 exchanges on the Coast, in the Far West and Midwest. Steinberg will hold meetings with the sales staffs at six branches and Heiliger will explain the decree provisions at 12 branches.

If business permits, the division managers may attend some of these meetings. Herman Wobber, company's sales head, will attend the sessions to be held with the personnel of the Coast branches.

Manuals to Guide Sales Force

Meantime, manuals, written by Jenkins, outlining the provisions of the decree will be distributed to the sales personnel. Copies of the decree itself have been sent to all branches by Jack Siechelman.

Itineraries of the legalities follow:

Jenkins—Los Angeles, Jan. 2; San Francisco, Jan. 6; Portland, Jan. 9; Seattle, Jan. 13; Salt Lake City, Jan. 16; Denver, Jan. 20; Omaha, Jan. 22; Kansas City, Jan. 24; Des Moines, Jan. 27; Minneapolis, Jan. 29; Milwaukee, Jan. 31, and Chicago, Feb. 3.
Heiliger—Albany, New Haven, Boston, St. Louis, Oklahoma City, Dallas, Memphis, New Orleans, Atlanta, Charlotte, Washington and Philadelphia in order.
Steinberg—Pittsburgh, Cleveland, Detroit, Indianapolis, Cincinnati and Buffalo in order.

50 Reported Entombed As Nazis Bomb Theater

Press cables on Friday revealed the worst toll yet taken by the Nazi aerial blitz in the British theater field. Bombing of two houses in a South Coast town—presumably Portsmouth—was reported. Explosives struck one while it held from 200 to 300 persons, 50 of whom were entombed. Casualty toll was high.

Walter F. Hiltz Dead

Kentville, N. S.—Walter F. Hiltz, 64, a pioneer film theater operator in the Annapolis Valley, and who had been an exhibitor in Kentville, Wolfville and Windsor, is dead after an illness of two years. Surviving are five sons and three daughters.

French "Nazifying" Picture Industry

Vichy (By Cable)—"Nazification" of the French film industry, in essence, is provided through the application of recent racial decrees which close all branches to Jews.

The new law which established Vice-Premier Pierre Laval as the industry's "czar" also gives the Government complete control over film financing.

NAM Com. to Recommend Declaratory Judgment Act

National Association of Manufacturers' convention here this week will receive a report from its Committee on Relation of Government to Industry calling for:

1. Enactment of a Federal declaratory judgment act to facilitate elimination of unfair competition and at the same time insure avoidance of anti-trust violations.

2. Amendment of the substantive portion of the Sherman Act to counteract effect of the "Madison oil case" decision and to make the "rule of reason" universally applicable.

3. Reversal of the association's former advocacy of an advisory tribunal which would have power to fix attitude of the government toward proposed contracts, combinations or agreements under the anti-trust laws.

4. Recommendation that the primary enforcement of the Sherman Act should be by civil and not by criminal proceedings, save in exceptional cases.

Presumably, had there been a declaratory judgment statute in existence, the industry's Trade Practice Code, proposed in 1939, could have materialized. The declaratory judgment proposal would require enactment of a law setting up the following procedure: voluntary industrial agreements could be made to eliminate unfair competition practices; such agreements could be submitted to the Department of Justice for approval or disapproval within a specified period of time; approval would bar any civil or criminal action under the anti-trust laws instituted in respect to activity carried out under the agreement; such approval could be withdrawn on 30 days notice to the industry; disapproval would indicate intention of the department to prosecute signatories for action under the agreement and would be conclusively deemed to give rise to a justifiable controversy in the federal courts.

Berlin Aids Seal Campaign

Irving Berlin will serve as chairman of the authors' and composers' committee of the current Christmas Seal campaign, it is announced by Frank Kiernan, director of the New York Tuberculosis and Health Association.

Film Players Flood Broadway Stages

(Continued from Page 1)

casts in current and forthcoming plays this season.

With Fredric March and Florence Eldridge reportedly looking for a play, Joan Crawford classified in the same category, and Miriam Hopkins, Otto Kruger, Isabel Jewell, Boris Karloff, Mary Brian, Bruce Cabot, Betty Furness, Billie Burke, Victor Mature, Lee Tracy and a number of other film players either already cast in new plays, appearing in current shows, or mentioned for parts in new plays, the representation of players better known for their film reputations may out-total the number of legit. players well-known as such before the season is over.

A number of writers, producers and other talent on the technical side not unknown to Hollywood are also present on the Broadway scene. Producer Buddy De Sylva has several hit shows; song writers Irving Berlin and Jack Yellen are responsible for some of the new music; writers Fred Finklehoffe and John Monks, Jr., are responsible for a new show; and dance director Bobby Connolly is handling the dance routines for the Finklehoffe-Monks show.

Listing of shows and their players who have been in films follows:

"All in Fun," has Bill Robinson, Phil Baker, Rosalind, Moreno and Pen. Kellogg; "Beverly Hills," which has folded, had Laurence Schwab as the producer, and Ika Chase, Violet Heming and Helen Claire in its cast; "Boys And Girls Together," includes Ed Wynn, Jane Pickens and Dave Apollo in the cast; Rex Ingram is in "Cabin In The Sky"; Nedda Harrigan is in "Charley's Aunt"; "Delicate Story," has Edna Best, Thomas Beck and Harry Gribbon in the cast; Betty Field is appearing in "Flight to the West"; and "Hi Ya Gentlemen," which opens shortly, will have Sid Silvers, Max Baer, Ella Logan, Erik Rhodes and Audrey Christie in the cast, with Monks and Finklehoffe the writers and Bobby Connolly the dance director.
Al Jolson, Martha Raye, Jack Whiting, Bert Gordon and Inez Falkenberg are in "Hold On To Your Hats"; Ezra Stone is in "Horse Fever"; Vera Zornin, Billy Gaxton, Victor Moore and Irene Bordoni are in "Louisiana Purchase," with Irving Berlin responsible for the music and De Sylva the producer; Ethel Merman, Arthur Treacher, Betty Hutton, Jimmy Dunn, Phyllis Brooks and Joan Carroll are in "Panama Hattie," also a De Sylva production; Vivienne Segal and Jack Durant are in "Pal Joey"; "Separate Rooms" is headlined by Alan Dinehart, Glenda Farrell, Lyle Talbot and Mozzelle Britton; and Helen Hayes and Philip Hutton are in "Twelfth Night."

Final Kent Drive Meeting At New York Branch Today

Final meeting of the annual 20th-Fox Kent Sales Drive will be held today at the New York branch. Drive leader M. A. Levy, and Herman Wobber, general manager of distribution, and William Sussman, Eastern division manager, who attended the last out of town meeting at the week-end in Boston, returned here Saturday night. Levy has served as the Drive leader for two years, and some other field man will be chosen to succeed him for the next two Drive periods, each man being limited to two years in the post.

THE WEEK IN REVIEW "Little 3" Ask Delay

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: "Little 3" asked Judge Henry W. Goddard to restrain all other Gov't equity suits until courts render decision on suit against "Little 3" . . . Indications were that both UA and "U" would join Columbia's move in asking dismissal of suit against "Little 3" . . . D of J, however, won right to file a new suit against "Little 3" and the latter were given 60 days to move for dismissal or to file answers . . . N. W. Allied may seek to circumvent the decree through state legislation. National Allied pledged support to decree's arbitration provisions . . . Arbitration budgeteers were announced by C. V. Whitney, AAA prexy, as follows: P. M. Haight, administrator (with Lucius R. Eastman, AAA board chairman, as alternate); Joseph H. Hazen, WB v.-p., as representative of the majors, and Van Vechten Veeder . . . "Big 5" were dropped as defendants in Gov't suit against Griffith circuit . . . Salesmen of consenting majors were ordered to follow decree terms "to the letter" . . . Arbitration pledge was offered by Columbia . . . Para. announced it would offer blocks of five pix in order.

* * *
OTHER NEWS ITEMS: Special Master Edgar Eldridge in Chi. recommended dismissal of the criminal contempt charges against B & K and the majors . . . Metro created new Central sales division and Wm. R. Rodgers placed E. K. "Ted" O'Shea in charge and named four district sales managers—John P. Byrne, Rudolph Berger, John J. Bowen and Burtus Bishop, Jr. . . . Standard Trade & Securities' survey predicted 5 to 10 per cent attendance rise . . . Washington intimated that the Army's clearance system would stand "as is" . . . D of J completed its probe of Ascap but was mum on matter of bringing a trust suit . . . "Great Dictator" terms were given at 50-50 by UA . . . Goodbody & Co. reported film earnings moving up . . . Spyros Skouras predicted that 1941 would be best year for films in U. S. since 1929 . . . Warner Bros. and Erpi called off equipment contract . . . Columbia reported first quarter net of \$153,878 . . . Murray Silverstone forecast adoption of English selling system (by individual picture) by U. S. distribs.

Ohio Cities Would Levy Tax on Amusements

(Continued from Page 1)

which would permit municipalities to impose local taxes for the purpose of meeting relief needs. Among those suggested is an amusement tax.

The Ohio Farm Bureau Federation, meeting here, also adopted a resolution asking that the state admissions tax be increased.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 113

NEW YORK, TUESDAY, DECEMBER 10, 1940

TEN CENTS

CANADIAN INDIES WANT DECREE REFORMS U.S. Supreme Court to Review Neb. Ascap Case

Notes Probable Jurisdiction; Florida Anti-Ascap Law is Back Before Court

Washington Bureau of THE FILM DAILY

Washington—The U. S. Supreme Court yesterday noted probable jurisdiction in the case arising out of the anti-Ascap law passed by the State of Nebraska, which was declared non-enforceable by the U. S. District Court in Nebraska. The decision means the high court will review the case, but reserves the right to dismiss it at any stage of the proceedings if it decided it does not have jurisdiction.

The Nebraska law made it unlawful for authors, composers, proprietors, publishers or owners of copy-

(Continued on Page 7)

Hollywood Sends 11 Pix Into Production

West Coast Bureau of THE FILM DAILY
Hollywood—Eleven pictures are scheduled to go into production this week:

At Columbia: Four shooting, including "The Return of Boston Blackie," a melodrama, featuring Chester Morris, Rochelle Hudson and Constance Worth. Producer, Ralph Cohn; director, Robert Florey.

At M-G-M: Five shooting, including

(Continued on Page 8)

Canada Producing "Fact" Film Monthly—Grierson

Canada at the present time is producing one documentary or "fact film" each month and the British Ministry of Information has a program calling for production of one film of this type per week during

(Continued on Page 6)

50 Detroit Houses Dark Christmas Eve

Detroit—Fifty Detroit theaters have now definitely committed themselves to closing Christmas Eve, regardless of policy adopted by opposition houses, following the move initiated by Co-operative Theaters of Michigan.

GROUPS TO PRESS FOR NEELY BILL

Decree No Solution, Pressure Organizations Agree at Informal Washington Conference

Washington Bureau of THE FILM DAILY

Washington—Public groups supporting the Neely bill are prepared to fight on, it was learned yesterday. Decision was reached at an informal meeting of representatives here.

"We do not regard the consent decree as any solution of the evils,

correction of which is sought through the Neely bill," a spokesman of the pressure organizations told THE FILM DAILY.

If unsuccessful in securing House action at the present session, the public groups propose to have the bill re-introduced by a new sponsor in the next Congress.

Majors Import Only 26 Films in Nippon

Only 26 pictures from the eight major companies were released in Japan during 1940, according to Morey Marcus, M-G-M's manager in Tokyo, who is here for home office conferences.

Marcus explained that in the latter part of 1939, the American companies made a deal with the Japanese Government whereby 80 American pictures would be released in

(Continued on Page 6)

SDIA Not Worried Over Decree's Effects

Sioux Falls, S. D.—Following a study of the recent consent decree, members of South Dakota Exhibitors Ass'n in annual meeting at Sioux

(Continued on Page 3)

WB Quarterly Net To Show 50% Gain

Wilmington, Del.—Warner Bros. earnings for the quarter ending Nov. 30 should be 50 per cent ahead of the figure for the corresponding quarter last year, the company's stockholders were informed by Edwin D. Steel, Jr., of the law office of former Judge Hugh M. Morris, presiding at the annual meeting here yesterday.

(In 1939, the company reported a

(Continued on Page 8)

Holly'd Charity-Minded, Reports Hays, on Return

Film industry's organization for charity is one of the most interesting developments in recent years in Hollywood, Will H. Hays, MPPDA

(Continued on Page 7)

Dominion Exhibs. Resent Step-children Role, Want Benefits Extended—ITA

Toronto—While exhibitors in the U. S., to judge from verbal blasts voiced by association spokesmen and individual theater operators, are opposed to the consent decree signed in the New York equity suit, there are signs multiplying here that Canadian indies may seek to obtain precisely the same "reforms" embodied in the decree.

Dominion independents' position is perhaps best summed up in an editorial in the current issue of the organ of the Independent Theaters Association, the Canadian Motion Picture Exhibitor, which says:

"Now that the U. S. anti-trust

(Continued on Page 8)

RKO Opens Depinel Drive on Jan. 25

RKO Radio will open its Ned Depinet Drive on Jan. 25 and will continue the annual billings campaign for a period of 15 weeks, closing

(Continued on Page 3)

Lab. Technicians Want Pay Jump, 35-Hour Week

Local 702, lab. technicians union, opened negotiations at the week-end

(Continued on Page 7)

As Pickets Picket —Patrons Pack It

Montgomery, Ala.—It's a tough break for the ring of eight Montgomery Building Trades Council pickets parading round and round the ticket window of the Charles Theater that their demonstration isn't more effective. True, folks haven't seen such novel picketing here and might be impressed if it weren't for the fact that they are so thrilled over this new movie house, just opened by Charles Rook. Crowds are so large that they catch the pickets in the whirl, until the latter's signs are lost in a seething sea of patrons.

No Films for Javes Under 10? Average Program Unsuitable, Chicago View

French Theaters Fast Returning to Normalcy

Film theaters in both unoccupied and occupied France are returning rapidly to normalcy, according to letters received by Erpi from Fred Hotchkiss, manager of the Marseilles office of Societe de Materiel Acoustique in France's unoccupied zone,

(Continued on Page 7)

By JOSEPH ESLER
FILM DAILY Staff Correspondent

Chicago—Closing of all film theaters to children under 10 years of age is advocated here by Mrs. Richard McClure, president of the influential Better Films Council of Chicago.

Mrs. McClure explains her stand by asserting that the number of films available for children is very

(Continued on Page 6)

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FINANCIAL

(Monday, Dec. 9)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seac.	6 1/2	5 3/4	6 1/2	+ 1/2
Col. Pict. ex. (2 1/2%)	23 1/2	21 1/2	23 1/2	+ 1 1/2
Columbia Pict. pfd.	9 1/2	9 1/2	9 1/2	+ 1 1/2
Con. Fm. Ind. pfd.	8 1/2	8 1/2	8 1/2	+ 1/2
Cen. Fm. Ind. pfd.	139 1/2	138	138	- 1 1/2
East. Kodak	11 1/2	11 1/2	11 1/2	+ 1/2
do pfd.	31 3/4	30 3/4	30 3/4	- 1/2
Gen. Tel. Eq.	10 1/2	10 1/2	10 1/2	+ 1/2
Low's Inc.	10 1/2	10 1/2	10 1/2	+ 1/2
do pfd.	10 1/2	10 1/2	10 1/2	+ 1/2
Paramount	10 1/2	10 1/2	10 1/2	+ 1/2
Para. 1st pfd.	10 1/2	10 1/2	10 1/2	+ 1/2
Para. 2nd pfd.	10 1/2	10 1/2	10 1/2	+ 1/2
Pathe Film	10 1/2	10 1/2	10 1/2	+ 1/2
RKO	2 7/8	2 7/8	2 7/8	+ 1/2
RKO 36 pfd.	3 1/2	3 1/2	3 1/2	+ 1/2
20th Century-Fox	5 1/2	5 1/2	5 1/2	+ 1/2
20th Century-Fox pfd.	16 1/2	16 1/2	16 1/2	+ 1/2
Univ. Pict. pfd.	104	104	104	+ 1/2
Warner Bros.	3 1/2	3 1/2	3 1/2	+ 1/2
do pfd.	50	50	50	+ 1/2

NEW YORK BOND MARKET

Kelth B. F. ref. 6 1/2	104 3/4	104 3/4	+ 1/2
Low's deb. 3 1/2% 104 3/4	104 3/4	104 3/4	+ 1/2
Para. B way 3 1/2	51 1/4	51 1/4	+ 1/2
Para. Pict. 6 1/2	104	104	+ 1/2
Para. Pict. 3 1/2	104	104	+ 1/2
Warner Bros. deb. 6 1/2	93 3/4	93 3/4	+ 1/2

NEW YORK CURB MARKET

Monogram Pict.	1/4	3 1/2	1 1/2	+ 1 1/2
Realt. Keith war.	1/4	1/4	1/4	+ 1/2
Sonotone Corp.	1/4	1/4	1/4	+ 1/2
Technicolor	9 1/4	9 1/4	9 1/4	+ 1/2
Universal Corp. vtc.	14 1/4	13 3/4	13 3/4	+ 1/2
Universal Pict.	14 1/4	13 3/4	13 3/4	+ 1/2

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Cinema Lodge Officers Will Meet Tomorrow

First meeting of new officers of Cinema Lodge, B'nai B'rith, will be held tomorrow, probably in the office of Arthur Israel, Jr., president, in the Paramount Bldg. Plans for the new year's activities are to be set up at the session.

Newly elected officers, aside from Israel, include the following vice-presidents: Leo Jaffee, Columbia; Jack Sichelman, 20th Century-Fox; Abel Vigard, Warner Bros.; Moe Streimer, United Artists; Irving Greenfield, RKO; A. R. Steinberg, Loew's and Adolph Schimel, Universal, Max B. Blackman, Warner Bros., was elected treasurer; Julius Collins, Ascap, recording secretary; J. Hyman, corresponding secretary; Irving Cohen, Paramount, monitor.

Advisory council which was recently named includes Barney Balaban, Joseph Bernhard, Harry Warner, Nate Blumberg, Maurice Silverstone, Harry Brandt, Jack Cohn, Mox Fleischer, Nate Saingold, Major Albert Warner, A. S. Weber, Abe Montague, C. C. Moskowitz, Dr. David De Sola Pool, Abe Schneider, Herman Starr and Sam Schneider.

Warner Theater Managers Hold Washington Meeting

Washington Bureau of THE FILM DAILY—Washington — General quarterly meeting of Warner's theater managers in the Washington zone will be held today. John J. Payette, zone manager, will preside. Managers from Virginia, Maryland, Pennsylvania, West Virginia and the District will attend. Speakers will include George A. Crouch, assistant zone manager, Frank La Fale, director of advertising and publicity; Harry M. Anger, in charge of production; Harry E. Lohmeyer, Washington district manager; Guy L. Wonders, Virginia district manager; Nat Glasser, Maryland district manager; A. Julian Brylawski, real estate department; Charles E. McGowan, contact department; J. Alton Pratt, projection department and Louis F. Ribnitzki, booker.

Bernhard and Goldberg At WB Cleveland Meet

Cleveland—Nat Wolf, Warner zone manager, will hold a meeting of the Warner managers of both Southern and Northern districts in Cleveland today and tomorrow. Joseph Bernhard, general manager of Warner Bros.' theaters, and Harry Goldberg, head of the theater advertising and publicity, will attend.

Eastern Penn. Allied Will Meet in Philly on Jan. 14

Third annual meeting of Allied Theater Owners of Eastern Pennsylvania has been set for Jan. 14 in Philadelphia. Sessions will last through the day and will be climaxed by a banquet at night.

Agfa Ansco Workers Get \$130,000 Bonus

Binghamton—Three thousand employees of Agfa Ansco will share in a Christmas bonus division of about \$130,000, to be made Friday. Bonus goes to all employees engaged before July 1 last and will be based on length of service.

BMI to Acquire Catalogues Of Film Co. Music Houses?

Resumption of negotiations whereby Broadcast Music, Inc., the radio-controlled rival of Ascap, would acquire the catalogues of music publishers affiliated with film companies was reported yesterday, although confirmation was lacking. Julian Abeles, attorney for the music publishing interests of M-G-M, 20th Century-Fox and Universal, said the reports were speculative.

Remored entrance of BMI into the picture setup followed the shifting of the E. B. Marks Music Corp. music from Ascap to the new organization, although Ascap announced last night that the transfer affected only the company and that the composers and authors who created the songs in Marks' catalogue were remaining loyal to Ascap.

Reports from Hollywood yesterday indicated that Columbia Pictures and RKO had agreed to release some of their music scores to the radio-controlled rival of Ascap, BMI.

Art Himmelein, Veteran Exhibitor, Died Sunday

Altoona, Pa.—Art Himmelein, veteran exhibitor, died Sunday night after a lingering illness. Until his health began to fail, he was general manager of Altoona-Publix Theaters and an associate of A. N. Notopoulos, head of the organization. He is survived by his widow and two brothers, Charles and John. Funeral services and burial will be in his home town, Sandusky, O., on Thursday.

Schenck, Sears, Depinet Aid Greek War Relief

The Greek War Relief Association, Inc., reported yesterday that Nicholas M. Schenck, Gradwell Sears and Ned E. Depinet had joined the ranks of film men who have contributed. Schenck contributed \$500, Sears gave \$200 and Depinet gave \$100.

New Chi. GHQ for Browne

Chicago — By Jan. 1, George Browne, IATSE prexy, will have Western offices on the 12th floor of the Steuben Building, 188 W. Randolph St. Local operators and stage hands unions will also establish headquarters there, moving from the Burnham Building.

COMING and GOING

WILL HAYS has returned to New York from the Coast.

EDWARD PESKAY, Eastern representative for Hal Roach, and GRACE ROSENFELD, Eastern publicity representative for Roach, are visiting several mid-Western cities in connection with Roach's forthcoming "Road Show."

WILLIAM PINE, C. B. De Mille's associate producer, is here from the Coast.

JOSEPH BERNHARD, general manager of Warner theaters, and HARRY GOLDBERG, ad. manager for the circuit, were in Cleveland yesterday for a meeting of the Ohio zone managers.

LINDA DARNELL arrives here tomorrow on the Century.

HENRY FONDA and his wife arrive today from the Coast.

WILLIAM R. FERGUSON, exploitation manager for Metro, flies to Atlanta today via Eastern to supervise GWTW opening.

JUNE PREISSER is here from the Coast for a vacation.

PAULINE KELAN, of the Walter Reed office, has returned from Miami.

HARRY SMITH, BOB DONAHUE, JR., and CLARENCE ELLIS, of Pathe News, are en route to South America on the Santa Lucia to film material for several shorts.

AARON JONES, president of the Jones, Linick & Schaefer circuit in Chicago, has left for Miami.

MILTON A. MOONEY, head of Co-operative Theaters of Ohio, MRS. MOONEY and their two sons, leave Cleveland Dec. 20 for a 12-day cruise through the West Indies.

TED SHAW, assistant to William C. Gehring, Central division manager for 20th-Fox, has left for Toronto and Detroit on business. He returns to the home office the end of this week.

SAM GALANTY, mid-East division manager for Columbia has returned from a visit to Pittsburgh and Washington.

NORMAN MORAY, short subject sales manager for Warners, is expected to return to the home office this week from a tour of the branches.

DREW EBERSON left New York last night for Texas.

JOHN HAY WHITNEY returns from the Coast this week.

CARL BRAYSON has arrived on the Coast.

BOB MOCHRIE, Eastern division manager for RKO, left last night for Cleveland.

FRANKLIN ROOSEVELT, JR., and ERROL FLYNN left Chicago on the TWA Stratoliner last night for "Santa Fe Trail" premiere in Santa Fe.

RICHARD CONDON, Walt Disney publicity director, and FRANK BRADEN have left on a national tour in the interest of "Fantasia."

WILLIAM LONDON and CARL BUERMELE of Detroit are in town.

Ennis' Mother Dies

Funeral services for the mother of Bert Ennis, advertising head of Caravel Films, were held yesterday. Mrs. Ennis died Saturday.

EVERY TELEGRAM'S A RUSH TELEGRAM AT

Postal Telegraph

CHARGES FOR TELEGRAMS
PHONED IN APPEAR ON YOUR
TELEPHONE BILL

SDEA Not Worried Over Decree's Effects

(Continued from Page 1)

Falls announced themselves as unworried over its effect on their business. No action was taken, but a committee will be appointed later to handle complaints or difficulties should they arise.

SDEA went on record opposing a boost of the Federal tax on lower admissions and opposed legislation restricting or taxing entertainment further. Dues were dropped from three to two cents per seat.

Officers elected were: Dean Nash, Canton, president; John Anderson, Plankinton, vice-president; A. P. Sorensen, secretary-treasurer; Charles Hyde, Pierre, E. G. Sorensen, Chamberlain, Bert Johnson, Rapid City, board of directors.

RKO was represented by Sheer M. Fitch; Paramount by Gil Sessler; Minnesota Amusement Co. by Ralph Phillips. Joe Powers of National Screen Service gave a talk on advertising.

Margolies to Work Closely With Producers Publicists

Al Margolies, who recently was promoted to the post of director of publicity for United Artists, will work more closely with the publicity men of the individual producers. Margolies will co-ordinate the studio campaigns with the New York plans.

Publicity is now being mapped out by Margolies on seven pictures. They are Richard Rowland's "Cheers for Miss Bishop," Loew-Lewin's "So Ends the Night," Hal Roach's "Road Show," Gabriel Pascal's "Major Barbara," and Alexander Korda's "New Wine" and "Lady Hamilton."

Music Hall Holds "Thief"; 300 Holiday Bookings Set

"Thief of Bagdad," which will stay a second week at Radio City Music Hall, is set for 300 holiday dates around the country. UA said yesterday that the first four days' biz was the biggest the Hall has had in the last four months.



• • • TIS debatable as to the exact date of the Big Wind in Ireland.....but not so of the Big (GWT) Wind in Atlanta.....Latter blew in via an historic world premiere.....the night of Dec. 12, 1939.....Consequently, day after tomorrow.....Georgia's metropolis and Metro-Selznick solons.....are gonna commemorate, and fittingly, the original event.....via a First Anniversary Premiere.....proceeds of which will go to the Atlanta Committee of the British War Relief Society.....Loew's Grand is to be the scene of action.....and its stage will be peopled by Director Alfred Hitchcock, Vivien Leigh, Laurence Olivier, Publisher Clark Howell of the Atlanta Constitution (as emcee), and members of the Atlanta Committee of the BWSR.....Just by way of glamorizing and to show that his hand has never lost its skill.....our Mister Hitchcock will direct the filming onstage of the celebration.....and La Leigh will cut the birthday cake.....All in all, it's a trail-blazing idea.....namely, the "reissue" of a world premiere.....A sidelight will be the selection of "Miss (GWTW) Anniversary".....Out of a bevy of 100 beauties.....11 will get screen tests.....

• • • A mite less than a week later.....—Dec. 17 in Washington, D. C.....will be held a special banquet under National Aeronautic Association's sponsorship.....for which a flock of U. S. notables will be on deck at the Hotel Carlton.....Event will be a contribution to the observance in this country of Pan-American Aviation Day.....and from our own industry's standpoint.....is linked to the hemispheric premiere of Metro's "Flight Command".....the movie about Navy fliers, starring Robert Taylor.....Right after the banquet, the guests will be transported to Loew's Capitol to see the film.....

• • • MRS. Leo Spitz and Mrs. Roger W. Straus are co-chairmen of a cocktail party on Friday at the home of Mrs. Straus, 6 East 93rd St.....as part of the Mobilization for National Unity Campaign of the National Conference of Christians and Jews. • • • Youngsters residing in Prince George and Montgomery Counties will be given an opportunity to bring happiness and cheer this Xmas to their less fortunate neighbors....by attending on Thursday afternoon, Dec. 19, the annual Toy Matinees.....to be held at Sidney Lust's live Maryland theaters.....

• • • WARNERS are distributing.....as part of the current National Safety Campaign.....broadside to 150,000 schools in every city and hamlet in the U. S.....bidding for safety in the home, on the streets, and at play.....Copy is in the form of a statement from Errol Flynn, star of WB's glittering new opus, "Santa Fe Trail".....

• • • STUFF:.....Donald Tatro, projectionist up at the Palace Theater in Pittsfield, Mass., went deer hunting, brought back a wildcat, received \$10 County bounty for killing the latter, and is now going out again for the elusive deer, says a dispatch to our desk (What t'hell more d'ya want Don.....didn't you go deer hunting and get ten bucks?).....Virgil Jackson, owner of four Columbus, Ohio, and one Queen City theaters, is the newly-elected Chief Barker for the Columbus Variety Club.....The Amusement Division of the Chicago Community Fund, under the able direction of Jack Kirsch, turned in 112 per cent of its quota, or \$27,985,—being among the seven highest in the drive.....Gem from a certain casting director's conversation discussing a certain Hollywood actress: "She was too old and, what's more, couldn't learn lines. You can imagine how the role would have taxed her ingenue-ity!"

RKO Opens Depinel Drive on Jan. 25

(Continued from Page 1)

ing May 9, it was announced yesterday.

Drive captain will be Leo Devaney, Canadian Division manager, who has been conferring at the home office with execs. and Walter Branson, Midwestern district manager.

Devaney will hold individual meetings at each of the RKO branches prior to the official starting date of the campaign, outlining the plan and aims of this activity, as well as the list of liberal cash prizes to be awarded. He will start his first tour immediately after Jan. 1.

Majors, and DG Counsel To Meet on Differences

Interpretation of wording in some of the clauses in the Dramatists Guild pact with film companies has caused a hitch which may prevent a number of film companies from producing under its terms unless agreement is reached, it was reported yesterday. A meeting between representatives of the film companies and Sidney Fleischer, attorney for the Guild, is scheduled for this week.

Warners has already withdrawn its support of the basic pact and it is expected that other companies may follow suit unless the dispute is ironed out. Paramount is reportedly going ahead under terms of the agreement, but Metro, which is reputedly going to back "Mr. and Mrs. North," is said to have taken the position that it won't finance any further ventures until agreement is reached.

TO THE COLORS!

Scranton, Pa.—Joe Novack of the Capitol Theater has joined the 109th Infantry which will leave for a year's encampment after Jan. 1.

Albuquerque, N. M.—Albuquerque Theater employes have answered the call to the Colors. David Hall, doorman at the Chief, is at U.S.N.T.S., San Diego; Bill Keener, doorman at the Kimbo, is at Brooks Field, San Antonio, Tex.; and Tom Jelly, doorman at the Chief, is in the Merchant Marine, San Francisco.

West Coast Bureau of THE FILM DAILY Hollywood—Helen Owings, secretary to S. Charles Einfeld, has joined the Navy. Miss Owings, who has been at Warner Bros. studios for four years, goes into the office of the Supervisor of Shipbuilding, Navy Dept., in San Francisco, this week. Judith Sandler continues as executive secretary to Einfeld.

Honesdale, Pa.—Edward Mullen, usher at the Lyric Theater, is a member of the 109th Infantry National Guard, which will leave for a year's service after the first of the year.





SANTA FE

THIS WEEK AT

A BIGGER
SEND-OFF THAN
'DODGE CITY' AND 'VIRGINIA CITY'
- BECAUSE IT'S A
STORY MILES BIGGER THAN BOTH!



IT ALL GOES TO SHOW THE WORLD THAT WARNERS WILL RELEASE

ERROL FLYNN
with OLIVIA
DeHAVILLAND
SANTA FE TRAIL with ALAN
EDWARD
MASSEY • REAGAN • HALE
RAYMOND
WILLIAM LUTHERHEAD • VAN HOUTEN • CLARK GABLE • HARRY O'HALL
Special "Big Boy" Release
MICHAEL CURTIZ
Directed by
On Good Screen Film By Robert Emmett • Music by Leo Sherrin

Santa

AUTHENTIC
INDIAN CEREMONIAL

SUBBLET

SANTA FE!

TRIPLE-THEATRE
PREMIERE

CORONATION OF
THE QUEEN OF THE
SANTA FE TRAIL

COVERED BY
185
NEWSPAPER
CORRESPONDENTS

MONSTER
PIONEER
PAGEANT

FILMED BY
TWO
NEWSREEL
CREWS

★
WE'RE ALL HERE!

ERROL FLYNN • OLIVIA De HAVILLAND • RONALD REAGAN
PRISCILLA LANE • WM. LUNDIGAN • REGINALD GARDINER
JOHNNIE WEISMULLER • RUDY VALLEE • JAN CLAYTON
IRENE HERVEY • JOHN BARRYMORE • ANN SOTHERN
DONALD CRISP • VIRGINIA FIELD • CHARLIE RUGGLES
ARLINE JUDGE • 'BIG BOY' WILLIAMS • JEAN PARKER
WALTER PIDGEON • RITA HAYWORTH • ALLAN JONES
★
CAROLE LANDIS • MARY HEALY • ROY ROGERS

Santa Fe Trail

For Xmas!



Majors Import Only 26 Films in Nippon

(Continued from Page 1)

Japan in 1940. However, import restrictions and other factors cut the number down so that the distributors were able to release approximately three pictures each.

Although business is good, due to the armament program and the virtual abolition of unemployment, the companies cannot take their money out of the country.

Marcus declared that the proposal for the depositing of the American distributors' money in the Yokohama Species Bank in San Francisco for a three-year period never materialized.

SPG Expects SAG Pledge Of Aid from Ralph Morgan

Support of the Screen Actors Guild will be pledged to the Screen Publicists Guild in its negotiations with the film companies to get a contract, it was reported yesterday. Ralph Morgan, former prexy of the SAG, will extend the pledge of aid by Hollywood's stars when he addresses the monthly meeting of the SPG Thursday, it was said. The Guild will also nominate officers for the coming year Thursday.

Pa. Court Slaps Oppression in Refusing To End "No Picketing" Writ Against IATSE

Scranton, Pa.—Critiquing the actions of labor unions which "oppress other people," Judge Will Leach of the Lackawanna County Court refused to lift the no-picketing injunction issued against the IATSE and operators' local here. The unit was picketing the Bulls Head Theater owned by R. A. Lesauis.

The injunction was valid, the jurist ruled, because there was no labor dispute at the theater but that the AFL and CIO operators' locals were contesting for jurisdictional control of collective bargaining there.

The judge also referred the "hocus-pocus" involved in the set-up of some labor unions and corporations.

20th-Fox Said Talking Deal For "Louisiana Purchase"

Twentieth-Fox is reported negotiating for the purchase of film rights to "Louisiana Purchase," with the asking price said \$200,000.

Both Metro and Columbia are also reported interested in "Du Barry Was a Lady," with \$100,000 mentioned as the asking price.

Rites for Irving Mintz

Irving Mintz, of the Paramount home office projection staff, was buried from the Riverside Memorial Chapel Sunday following a short illness. Mintz was with Paramount for 14 years. He was 49 years of age and is survived by a wife, Anna.

J. Clark Conover Dead

Red Bank, N. J.—Funeral services were held for J. Clark Conover, 66, who for many years operated the Strand.

Canada Producing "Fact" Film Monthly—Grierson

(Continued from Page 1)

the next year, John Grierson, Canadian Film Commissioner, said yesterday. Grierson stated that Columbia, distributor in Canada for the Canadian-made documentaries, had secured contracts with 800 of the 900 theaters in the Dominion, demonstrating the interest of the people in films of this type.

Grierson said that the future of Canadian production rested on the practical results of films expressly made for national and international purposes. He also said that a number of other films would be made in Canada and England for distribution in the non-commercial field. Paramount distributes the documentaries in England, and in other parts of the Empire, other commercial firms handle the product.

Pointing out that the public demand for pictures of this type could not be satisfied in England, Canada and the other colonies at the present time, Grierson, stating that motion pictures should be the "eyes of democracy" because of their advantage over newspapers in dramatizing facts and events, expressed the thought that this country could use many more films of this type for domestic use and export to South and Central America as a stop-gap between newsreels and features.

Grierson, who conferred here with newsreel editors on use of British and Canadian war material, made his first public appearance in New York for over a year when he spoke last night on the subject of "Youth" at Columbia University.

NWMP \$250,000 "Take" In 5 Weeks at N. Y. Para.

NWMP in its five weeks at the N. Y. Paramount will gross nearly \$250,000, it was said yesterday by Robert M. Weitman, theater's manager, on the basis of a four weeks' "take" of \$214,000.

Cocks Back With Quimby

Syracuse—Harvey Cocks, for the past year manager of the RKO Schine Strand, left yesterday for Fort Wayne, Ind., to assume his former position of general manager of Quimby theaters' eight houses. No successor has been appointed here as yet.

No Films for Chi. Juves Under 10?

(Continued from Page 1)

limited, and that the average film program is unsuitable for youngsters under 10.

Pictures which are presumably aimed at juvenile patronage by producers and exhibitors largely do not meet the situation, she feels. Mrs. McClure would have juve pictures rate higher from the standpoint of educational value.

Discussing the present agitation here for changes in the municipal censorship setup, Mrs. McClure said that censorship at the source was fundamental, with local boards desirable to meet local conditions.

Council's annual meeting will be held Friday at 20 N. Wacker Drive.

NBC's Television Station Returns to Air Tomorrow

After being off the air for eight days, NBC's television station is scheduled to return tomorrow to its restricted schedule in effect since the change of channel. Engineers have eliminated some of the "bugs" previously present in transmission, the company states.

Dillenbeck Leaves Buchanan

A. O. Dillenbeck, executive vice-president and a director of Buchanan & Co., advertising agency, yesterday announced his resignation. Among his many accounts was Paramount's, which he handled from 1917 to 1932 and from 1937 until the present. Future plans will be announced after a vacation.

WEDDING BELLS

Canton, O.—Irving Reinhart, son of Mr. and Mrs. Harry Reinhart of the State, McKinley and Mozart Theaters, and himself connected with the circuit, will be married on Jan. 22 to Rita Adler of Canton.

Cleveland—Invitations have been issued for the marriage of Guy Charles Ellis, assistant manager at Warners' Hippodrome, to Mary Elizabeth Stone, on Dec. 22. Ceremony will be performed at Old Stone Church, followed by a reception at Stone's Grill.

Kingsport, Tenn.—Samuel Rogers Davis, manager of Strand Theater, was married to Jean Elizabeth Minnich.

Scranton, Pa.—Announcement is made of the engagement of Harold R. Brazil, projectionist at the Bell Theater, to Mary T. McDonnell.

West Coast Bureau of THE FILM DAILY
Hollywood—Marriage of Ann Morris and Edwin L. Marin took place at Santa Barbara.

A ★ M ★ P ★ A

takes considerable pleasure in welcoming as our guest speaker at the next luncheon meeting

JACK COHN

Executive Vice President, Columbia Pictures

The topic of Mr. Cohn's address is

"LET'S GET BACK TO SHOWMANSHIP"

Roastmaster On This Occasion:

MAURICE BERGMAN, Advertising Mgr., 20th Century-Fox

★ ★ ★
DEE-LIGHTFUL—MARJORIE KNAPP, young singing principal of Ed Wynn's "Boys and Girls Together"

EVERYBODY WELCOME!

(if arriving on time! We start serving promptly at 12:45 p.m. in the beautiful SUN ROOM)

THURSDAY-DEC. 12—HOTEL EDISON

\$1.25

for luncheon, including tip, to non-members and well worth it!

High Court to Review Nebraska Ascap Case

(Continued from Page 1)

righted musical compositions when the members, stockholders or interested parties constitute a substantial number of persons, firms or corporations who own or control copyrighted musical compositions, to form any organization, either in Nebraska or elsewhere, if one of the objects of the organization is the determination of license fees required for the use of copyrighted musical compositions for profit in Nebraska, for the purpose of preventing free competition between different copyrighted owners.

The District Court struck down the law because Section 2(B) of the Act which related to failure of the author, composer or publisher to affix on the musical composition the selling price was a violation of the National Copyright Act. The whole act failed because that sub-section was inseparable from the balance of the Act and was the inducing cause for its passage, the lower court held.

The Supreme Court did not set a date for hearing arguments in the case.

Meanwhile, the anti-Ascap law of Florida was back before the Supreme Court for decision as to its constitutionality. The case was previously before the high court in the October term of 1938 when the issue was whether the amount of \$3,000 necessary for jurisdiction was involved. In an opinion of April 17, 1939, the high court, with Justice Black dissenting, held the necessary amount was present. The high court is now expected to review the case on constitutional merits, but will not announce officially whether it will review the case for several weeks.

Billboard Anti-Trust Suit Gets Supreme Court's Okay

(Washington Bureau of THE FILM DAILY)

Washington—In a decision of interest to the industry in the Northwest, the U. S. Supreme Court yesterday directed the Western Washington District Court to entertain a \$1,500,000 anti-trust damage suit brought by C. E. Stevens Co., Seattle billboard advertising firm, against Foster & Kleiser Co., large Pacific coast outdoor advertising concern.

The Stevens firm asked triple damages on the grounds that Foster &

"A Horse, A Horse—"

Santa Fe, N. M. — Shortage of horses in and around this city will compel Warner Bros. studio to ship 50 head from Hollywood to this city in order to hold the parade scheduled for the opening day of the "Santa Fe Trail Days" celebration. Lack of horses has been caused by terrific buying up of all available animals by British Government plus the current remount needs of the U. S. Cavalry. Studio is shipping horses ahead of the junket, which leaves Pasadena on Dec. 12.

Lab. Technicians Want Pay Jump, 35-Hour Week

(Continued from Page 1)

with all laboratories here for new contracts, asking for wage increases, a 35-hour week, two weeks' vacation with pay, all holidays with pay and a guaranteed four-day minimum work week. All contracts union now has with Eastern laboratories expire Dec. 31.

The union is seeking to make operative a uniform contract with all labs. A further meeting will be held Thursday, with the labs. now studying the proposed new agreements. The union now has 17 contracts and it is expected that any labs. now operating in the East that have not signed an agreement will be lined up at the conclusion of negotiations when the new agreements go into effect.

John Rugge, president of the union, heads the union's negotiating committee.

Tim Farley Heads Drive For Greater N. Y. Fund

James A. Farley has accepted the chairmanship of the 1941 campaign for The Greater New York Fund. It was announced yesterday at a meeting of the Fund's officers and executive committee, at which James G. Blaine, president of the Fund, presided.

Kleiser violated anti-monopoly laws by seeking to control desirable billboard sites and to restrain interstate commerce in posters. Lower Federal courts refused to take the case, holding that the outdoor advertising business was not interstate commerce and that no acts were allowed which might bring the case within the Anti-Trust law prohibitions.

Expect Tennessee to Repeal Ascap Law, Blocked by Writ

Knoxville—Formal repeal of the technically extant anti-Ascap statute in this State is expected to be effected at the next session of the Legislature which convenes in January.

Ascap has been awarded a permanent injunction, voiding enforcement of the law which was held to be onerous and unconstitutional.

Say French Theaters Return to Normalcy

(Continued from Page 1)

and from H. L. Pemberton, Paris manager in the occupied zone.

In both zones, the staff of Societe which is gradually returning to peacetime strength following demobilization and the return of all but a dozen prisoners, is furnishing normal service to some 300 theaters.

In the unoccupied zone under the Vichy regime, as well as in North Africa, sound engineers are reported to be carrying on their normal peacetime service in the 200 theaters which were listed as clients of the Societe in these areas before the war. Hotchkiss reports difficulty, however, in getting from one city to the next, due to the Vichy government's requirement for a special permit from the prefecture for every rail journey.

Latest estimate from Paris indicates that of all the Erpi-serviced theaters in the occupied zone perhaps 50 are out of service, these being concentrated for the most part in northeastern France.

Arthur Dent Leaves AB

London (By Air Mail) — Arthur Dent, one of the founders of Associated British and long its general sales manager, has resigned from the company.

Industry on Coast Helping Charities

(Continued from Page 1)

prexy, declared yesterday on his return from the Coast. Hays, at the same time, emphasized the unity of purpose in Hollywood in "going full steam ahead with a planned program of entertainment."

The MPPDA president pointed out, in reviewing the charity activities on the Coast, that 17,911 workers in all branches of the industry contributed \$465,708 to the Community Chest of Greater Los Angeles in a drive directed by Louis B. Mayer. This was 17 per cent above quota.

He added that the industry's permanent charities committee, headed by Sam Goldwyn, had raised \$440,000 for the Red Cross and for Allied Relief, and that "practically every employe in Hollywood" continues to donate one-half of one per cent of salary annually to the MP Relief Fund.

George White's Scandals Into Brooklyn's Strand

George White's Scandals will play the Fabian-operated Brooklyn Strand as the Christmas-New Year's week attraction. House is departing from its all-film policy for the holiday period.

THE BANK DICK

by

Mahatma Kane Jeeves



"Darn good I'll say"—

W. C. FIELDS



BEYER & MACARTHUR

at the wheel

STORKS!

Albany — Dick Struwe, Warner film salesman, received a tip-top birthday present when his wife gave birth to a 7 pound, 2 ounce daughter. The baby, born in Brady Maternity Hospital, will be named Sally Ellen.

(West Coast Bureau of THE FILM DAILY)

Hollywood—It's a boy for the Robert S. Howards. Mother is films' Andrea Leeds.

HOLLYWOOD SPEAKING--

By RALPH WILK

WESTERN DAZE—The first "Puppetoon" of Paramount's "Madcap Models" series, now being produced at George Pal's Hollywood studio, has passed the half-way mark of production, according to information from the youthful creator of the third-dimensional puppet films. It is declared that rushes already screened privately by Pal and his production experts, show production value far superior to anything he has ever done.

The film is being made behind locked doors and is being photographed in Technicolor. Andre Kostelanetz recorded the music for "Western Daze" while in Hollywood recently. Vic McLeod and Norman Blackburn wrote the lyrics and story. David Raskin, Chaplin's former musical director, composed the music.

GEORGE MURPHY is preparing a novel Christmas greeting for the flyers at March Field, whom he will entertain by refereeing boxing matches and dancing Dec. 20. He has worked out a dance routine which will spell out a Christmas greeting to the boys in International code.

WITH release of his latest picture, "Barnyard Follies," Director Frank McDonald has hung up some sort of record for bringing radio personalities to the screen. Radio favorites given their first screen chance by McDonald include Harry "Pappy" Cheshire, Mary Jane and Carolyn De Zurik, known to radio fans as the "Cackle Sisters," Jim Jeffries, the Kidoodles, Isabel Randolph of the Fibber McGee and Molly program, Lulu Belle and Scotty, the Texas Wanderers, Uncle Dave Macon and Son, Dorris, and Roy Acuff and his Smoky Mountain Boys.

HAVING completed his role in "A Girl, A Guy and A Gob," the Harold Lloyd production for RKO, George Murphy and his wife have motored to Bishop, for a few days skiing. They will be the guests of Dr. Don MacQueen, prominent Los Angeles dentist.

A GROUP of flyers at March Field have invited Arthur Hornblow, Paramount producer, to be their guest at a banquet in his honor on Thursday. The honor is in appreciation for the plug he gives March Field in "I Wanted Wings," his current production for Paramount.

Foster Plans Indie Feature in Mexico

West Coast Star, **THE FILM** David Lloyd Hollywood — "The Underdogs," Mexican novel by Dr. Mariano Azuelo, will be produced independently in Mexico by Norman Fox, 20th-Fox director, from a script by Dorothy Parker and Alan Campbell. Profit-sharing arrangement is provided. Major release will be negotiated. Story was made as a Spanish language pix in Mexico some years back as "Los Abajos."

WB Quarterly Net To Show 50% Gain

(Continued from Page 1)

net of \$642,129.09 for the quarter ended Nov. 25).

Hazen Named to Board

Joseph H. Hazen was elected to the Board of Directors succeeding Sam E. Morris, resigned, four other directors, Samuel Carlisle, Stenleigh P. Friedman, Morris Wolf and Charles S. Guggenheimer, were re-elected for two-year terms.

Steel read a prepared statement explaining the recent consent decree entered into by the Department of Justice and the five majors.

Harold S. Bareford, assistant secretary of the corporation, in answer to stockholders' questions, explained that dividends on the preferred stock have been deferred because of the uncertainty of world conditions and the arduous litigation, including the anti-trust actions which involve a change in the company's methods of doing business.

The \$95,000 in accounts receivable from officers under the February 1936, agreement was explained as the balance owing on a cash return to the corporation for giving up certain income tax claims a decade ago, saving the company \$300,000. It was further stated that the company holds an oral commitment from the Warner Brothers to pay the balance within the current fiscal year.

\$150,000 Paid to Counsel

Robert W. Perkins, secretary and general counsel, in response to another question by Milton R. Weinberger, stockholder, said that a payment of \$150,000 to former Senator James Reed of Missouri had been for services rendered as counsel in defense of the company and subsidiaries in two anti-trust litigations in St. Louis, covering all of the company's theater holdings there.

Weinberger suggested that in view of the loss of foreign markets and lawsuits, the management consider "lowering executives' salaries." Bareford responded that foreign business is not altogether "nil" and that the company is in no worse a position than last year, but recalled previous "foayless weeks" in the past and said that if conditions warrant, the management will consider and act promptly toward a retrenchment policy.

Officers present at the meeting included Assistant Treasurer W. Stewart McDonald, secretary and general counsel Robert W. Perkins, Assistant Secretary Harold S. Bareford, Assistant Secretary Edward K. Hasberg and auditor Thomas J. Martin. Representative of Price, Waterhouse & Co. also attended.

Renews Lease on La Salle

Chicago — The Jones, Linick & Schaefer circuit, has renewed its lease on the Loop LaSalle Theater for another six years, and are modernizing the house.

Biz In Springfield Bounds Up 20 P. C.

Springfield, Mass.—Managers of theaters here report an increase of nearly 20 per cent in business since the first of November due to increased employment in Western Massachusetts.

Canadian Indies Ask Decree Reforms

(Continued from Page 1)

suit has resolved itself into a reformed system in motion picture practices, carrying benefits to the small exhibitors, it is not in the cards that the Canadian exhibitors of that category will be satisfied to sit in the cinders and play step-child for very long."

Ire of the ITA was aroused by recent statements to the effect that distributors would make no move to extend the provisions of the consent decree to the Dominion. The ITA of course appreciates that the terms of the decree have and can have no basis in Canadian law, but because Canada, for practical reasons, is treated as part of the domestic American market, it is not disposed to accept what it calls the "step-child" role.

It further makes the suggestion that the situation here is materially different—that arbitration and conciliation systems are in effect and that clearance boards are on the way—with the contention that the Canadian contract is overly stringent, that the conciliation committee is weighted in favor of distributors, and affiliated circuits and that clearance boards may or may not materialize.

So, the ITA paper says pointedly: "When the film industry draws around the family board to recite the benediction and to ladle out the sustenance to all members thereof, Canadian exhibitors do not wish to find themselves excluded from the favors and relegated to the step-child role of grieving among the cinders..."

"Camouflage or whitewash will not serve the purpose when reform is on the march. The time limit for reform is strictly limited, after which comes trouble. The whole world is learning that lesson now the hard way. Will the heads of the Canadian and American film industry miss the chance of applying the lesson to the situation in Canada, when their troubles are so heavily upon them in the U. S.?"

"It is inconceivable that they would be so short-sighted. Canadian independent exhibitors resent being treated like step-children of the industry. Grievances and resentments untreated invariably result in upheaval."

Meanwhile, the Ontario Provincial Clearance Board meets here today to organize.

Hollywood Sends 11 Pix Into Production

(Continued from Page 1)

ing "Rage in Heaven," a dramatic story by James Hilton. Features Robert Montgomery and Ingrid Bergman. Producer, Gottfried Reinhardt; director, Robert Sinclair.

At RKO-Radio: Four shooting, including Jerold Brandt's Pyramid Picture, "Scattergood Baines," comedy, based on the stories by Clarence Budington Kelland, in which Guy Kibbee plays the leading role, with Carol Hughes and John Archer handling the romantic leads, and Emma Dunn portraying Mrs. Baines. Others in the cast are Dink Trout, radio personality; Ralph Bowman and Willie Best. Christy Cabanne directing, and the screenplay is by Michael Simmons and Edward T. Lowe; and an untitled Tim Holt western with Virginia Vale in the feminine lead. Bert Gilroy producing and Edward Killy directing.

At Paramount: Six shooting, none scheduled to go this week.

At 20th Century-Fox: Six shooting, none to start until Dec. 26.

At Universal: Five shooting, including "Buck Privates," a comedy, featuring Bud Abbott and Lou Costello and the Andrews Sisters, with Arthur Lubin directing.

At Warners: Seven shooting, plus three which go this week. Latter are "Jinx Woman," drama, featuring Jeffrey Lynn and Brenda Marshall, and will be Jean Negulesco's first feature directorial picture, with Harlan Thompson as producer; "Winged Victory," drama, co-starring Geraldine Fitzgerald and James Stephenson with Barbara O'Neill. Irving Rapper, former dialogue director, makes his debut as a director on "Winged Victory"; "Murder on the Second Floor," mystery drama, with Frieda Inescort and Paul Cavanagh only members so far cast. Picture will be directed by D. Ross Lederman.

At Republic: Two shooting, including "Arkansaw Judge," a rural drama, starring Weaver Bros. and Elviry with Roy Rogers playing his first dramatic role. Others in the cast are Loretta Weaver, Monte Blue, Harrison Green, Barry McCollum, Ruth Robinson, Beatrice Maude and Pearl Early. Frank McDonald directing.

At Monogram: One shooting, Lindsey Parsons' "You're Out of Luck," Frankie Darro starrer. Howard Bretherton directing. Cast includes Manton Moreland, colored comedian, Richard Bond, Tristram Coffin, Ralph Peters and Alfred Hall.

James Roosevelt's initial picture for United Artists release, "Pot of Gold" with Horace Heidt and his band, James Stewart and Paulette Goddard. Director, George Marshall.

Rites for George Puget

Detroit—George Puget, 58, booking agent with the Gus Sun office, was buried Saturday. Death resulted from auto accident injuries.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 114

NEW YORK, WEDNESDAY, DECEMBER 11, 1940

TEN CENTS

UPWARD TREND OF BUSINESS CONTINUING Copyright Violations Show Slight Drop in 1940

Illegal Use of Pix Found In 26% of Theaters In- vestigated in 32 States

Copyright violations were found in 26 per cent of theaters investigated in 32 states by the Copyright Protection Bureau, it was announced yesterday by Jack Levin, director of the bureau. This figure is slightly lower than that of last year when similar investigations were conducted and 28 per cent of the theaters were found to have violated the copyright laws.

Levin pointed out yesterday that

(Continued on Page 8)

Consent Decree! No, Asserts Ascap

Washington Bureau of THE FILM DAILY

Washington — Reports that the Government may take a hand in settling the Ascap-Radio industry dispute were prevalent yesterday following a statement by a Justice Department official that the controversy may be settled soon.

Meanwhile, the Department said it had no statement to make on the

(Continued on Page 4)

Griffith Interrogatory Objections Due Jan. 2

Oklahoma City, Okla. — Remaining defendants in the United States vs. Griffith Amusement Co., equity suit have been granted until Jan. 2, to object to or answer the Government's interrogatories.

Remaining defendant companies embrace Columbia, Universal, UA,

(Continued on Page 6)

Expect Adelphi Suit Will Be Settled

Chicago — It is expected in film circles here that the Adelphi Theater anti-trust suit against the film companies will be settled when negotiations get under way shortly between Chicago attorneys and the film company defendants.

British Gov't to Block Any Move to Use "Frozen" Funds for U. K. Theater Purchases

London (By Air Mail) — Any move by American companies to invest "frozen" remittances here in British theater holdings will be blocked by the Treasury, it is reliably learned.

Meanwhile reports that the late John Maxwell's holdings in Associated British have been offered to three American majors have been denied by Eric Lightfoot, managing director.

4 Interstate Suits To Trial in January

Dallas — Four damage suits against Interstate circuit of Texas, filed as the result of the Government winning an anti-trust suit in February, 1939, will be brought to trial next month. The film suits will lead the January term of the Federal Court and Judge William H. Atwell has set Jan. 13 as the starting date.

The U. S. Supreme Court on Feb. 13, 1939, upheld a lower court decision that contracts between Inter-

(Continued on Page 6)

Schreiber Again on Stand In His Midwest Suit

Detroit — Suit of Midwest Theaters versus Co-operative Theaters of Mich., resumed yesterday in Federal Court after a four-day recess. Raymond Schreiber, concluding his testimony as head of Midwest, testified that Co-operative's power was such that he did not even have a chance to bid on pictures, that all majors

(Continued on Page 6)

3 Defendants Fined In Chi. Contempt Case

Chicago — Federal Judge Charles E. Woodward yesterday signed a decree fining three of the defendants in the Government's criminal contempt case brought here against B & K and the majors, growing out of the consent decree signed by the defendants in 1932. The suit was brought by the Government in 1938. The decree followed out the recommendations contained in Special Master Edgar Eldredge's report made late last week.

The companies that were fined by

(Continued on Page 8)

Expect 1,000 to Attend O'Shea-Bowen Luncheon

Attendance of 1,000 is expected at the testimonial luncheon to be tendered by the industry along the Atlantic seaboard to E. K. "Ted" O'Shea, newly appointed Central division manager for Metro, and John J. "Jack" Bowen, his successor as district manager for New

(Continued on Page 6)

5-State Meet on Legislation? NW Allied Would Nullify Decree Provisions

Ontario Clearance Board Meets Again on Tuesday

Toronto — Ontario Provincial Clearance Board held its organization meeting yesterday. Following the session, the Board said its plans were not sufficiently advanced to make any announcement. The next meeting will be held Tuesday. Serv-

(Continued on Page 6)

Minneapolis — Northwest Allied is considering a special meeting of exhibitors in five states for the purpose of acting on a proposal to press for state legislation to nullify those sections of the consent decree that are regarded harmful to independent operation.

If the meeting is held, exhibitors in North and South Dakota, Wisconsin

(Continued on Page 6)

Sustained and Increasing Gains Registered in New Survey by Ross Federal

Sustained and increasing gains both in general and theater business are registered in a second country-wide survey conducted by Ross Federal Service, just completed.

In a few sections, checkup shows the box-office temporarily adversely affected by inclement weather. A quick comeback was anticipated.

An analysis of the regional reports, completed yesterday for THE FILM DAILY shows:

CHICAGO: General business con-

(Continued on Page 8)

Exhibs. Don't Like "Grand Rights" Idea

Any attempt by Hollywood to resort to the "grand rights" angle to insure film music plugs on the air if and when the Ascap-networks split comes faces the prospect of strong exhibitor opposition, it was learned here yesterday.

Suggestion that the "grand

(Continued on Page 4)

"Zingo" and "Cash Quiz" Legal, Philly Judge Rules

Philadelphia — Judge Howard Davis, Common Pleas No. 3, yesterday judged "Zingo" and "Cash Quiz" to

(Continued on Page 6)

Suit May Clarify Student Tax Issue

Minneapolis — The internal revenue department has advised Fred Strom, executive secretary of Northwest Allied, that exhibitors should collect the regular tax on tickets of 25 cents or more when sold at cut rates to students and others and to hold the tax money until a ruling has been made on the issue.

A friendly suit to clarify the question and other tax problems is hoped for.

THE **Jilm** DAILY

ALL THE NEWS
ALL THE TIME

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FINANCIAL

(Tuesday, Dec. 10)

NEW YORK STOCK MARKET

Am. Seat.	High	Low	Close	Net
Col. Pict. vts. (21 3/4%)	57 1/2	54	57 1/2	+ 1 1/2
Columbia Pict. pfd.	24 1/2	23 1/2	24 1/2	+ 1/2
Gen. Fm. Ind.	8	7 1/2	7 1/2	+ 1/2
Con. Fm. Ind. pfd.	8	7 3/4	7 3/4	+ 3/4
East. Kcdak	138	135	136	- 2
do pfd.	180	180	180	+ 1 1/2
Gen. Th. Eq.	11 1/2	11 1/4	11 1/2	+ 1/4
Loew's Inc.	30 3/4	30 3/8	30 3/8	+ 1/8
do pfd.	108 1/8	108 1/8	108 1/2	+ 1/2
Paramount	10	9 3/4	10	+ 1/4
Para. 1st pfd.	97 1/2	97 1/2	97 1/2	+ 3/4
Para. 2nd pfd.	10 1/4	10 1/8	10 1/8	+ 1/8
Pathe Film	10 1/2	10 1/2	10 1/2	+ 1/2
do pfd.	2 1/2	2 1/8	2 1/8	+ 1/8
RKO 55 pfd.	38 3/4	38 1/4	38 3/4	+ 3/4
20th Century-Fox	5 1/2	5 1/8	5 1/8	+ 1/8
20th Century-Fox pfd.	16 1/2	16 1/2	16 1/2	+ 1/2
Univ. Pict. pfd.	108	105	108	+ 4
Warner Bros.	3 1/8	3 1/8	3 1/8	+ 1/8
do pfd.	51	51	51	+ 1

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4	
Loew's deb. 3 1/2 1/4	104 1/4 104 1/4
Para. B'way 3 1/2 1/4	52 52
Para. Pict. 6555	
Para. Pict. cv. 3 1/4 1/4	
Warner Bros. deb. 6 1/4 1/2	95 95

NEW YORK CUB MARKET

Sonotone Corp.	13 3/4	13 3/4
Technicolor	9 1/2	9 1/2
Trans-Lux	5	5
Universal Corp.	6 1/4	6 1/4
Universal Pict.	5	5

Orders Pascal to Testify

New York Supreme Court Justice Ferdinand A. Pecora yesterday ordered Gabriel Pascal to testify before trial in the \$100,000 breach of contract suit of Joseph Krimsky. Plaintiff seeks one-half the profits of "Pygmalion" and of all future Pascal productions under an alleged contract made in 1933.

"Vigilantes" Tops Record

Universal's "Trail of the Vigilantes" is nosing out "Tower of London" for the year's top gross at the Rialto Theater, Broadway. "Tower of London" previously had held the year's record for the house.

Sargoy, Stein Conduct Symposium at Columbia

Edward A. Sargoy and Joseph L. Stein, who are counsel for the major distributing companies' Copyright Protection Bureau, conducted a symposium recently at the Columbia University School of Law on the legal problems involved in protecting the sound tracks of copyrighted motion picture films against possibilities of unauthorized re-recording, and radio or television broadcasting. They were invited to the Seminar on Legal Problems by Profs. Richard R. Powell and Francis Deak, of the law faculty, who participated in the discussions.

Building Service Employees Win Increase of \$1 a Week

Negotiations between Local 54, building service employees, and the New York circuits on a new two-year pact have been completed and a wage increase of \$1 a week was granted to members of the union that work a full time week. A 10-year contract is in existence, but the pact is reopened every two years for negotiations. Union embraces janitors, scrubwomen, porters and matrons in houses in the Met area.

Braden Returns Saturday From Trip on Arbitration

J. Noble Braden, executive secretary of the American Arbitration Association, will return to New York on Saturday from an extensive trip through the Far West, in the course of which Braden set up arbitration machinery for the film industry in a number of cities. He will leave New York again on Dec. 17 for the Midwest. Braden will complete his field work after Christmas in a trip through the south.

Exhibs. Complain Mexican Union Bans Anti-Red Pix

Mexico City (By Air Mail)—Exhibitors are protesting here to the Mexican Government against the efforts of the Mexican Confederation of Workers to keep certain American pictures from local screens.

Allegation of the exhibs. is that, despite the fact that the official Board of Censors of the Central Department pass pix as all right for showing, nevertheless the Confederation of Workers "wield unfair powers" to prevent their exhibition.

Pix in question are those with an anti-Communist flavor.

Beck Plans Second Chi. Newsreel House

Chicago—A second newsreel theater for Chicago is planned by Carl Beck at the corner of Dearborn and Madison Sts. House to be called the Today, will seat 326 and will be ready for early Spring opening.

"Philadelphia Story" Clicks at Upped B.O.

Pre-release engagements of "The Philadelphia Story" at advanced admission prices apparently have been successful. M-G-M announced yesterday that the picture had been held for a second week in four of the pre-release spots, Providence, Reading, Louisville and Rochester. In Providence, business was reported at 183 per cent above normal business and more than 200 per cent in the Cincinnati and Milwaukee openings. In Milwaukee, "The Philadelphia Story" is out-grossing "Boom Town."

The upped admission prices in the six cities at the same scale as that asked for "Boom Town," ranging from 25 per cent to 33 1/3 per cent over the regular prices. Success of these engagements will determine the policy for the regular runs.

20th-Fox' "Spitfire" to Be a Super

London (By Air Mail)—Twentieth Century-Fox has revised its shooting schedule at Shepherd's Bush and "Spitfire" will be the second film for 1941 production. Scope of the picture, a saga of the R.A.F., will be much greater than originally planned and will receive the active co-operation of the Air Ministry. "Once a Crook," starring Gordon Harker and Shirley Howard, is now in work at Shepherd's Bush, while the company's first major production, under its \$500,000 British program, H. G. Wells' popular "Kipps," is nearing completion. Michael Redgrave and Diana Wynyard are the stars.

Following "Spitfire" will come an as yet untitled film, and then, in the Spring, "Pitt, the Younger," a dramatic spectacle of England at the time Napoleon was threatening to invade it.

H. C. Johnson, Para. News, Heads White House Ass'n

Washington—Hugo C. Johnson of Paramount News Washington staff was elected president of the White House Photographers Association. Thomas S. Bills of M-G-M's News of the Day was re-elected as secretary-treasurer; Harry E. Goodwin of the Washington Post is the new vice-president. The executive committee included Robert M. Denton, Paramount News; Charles J. Mack, M-G-M's News of the Day; George Gaylin, Acme; and Robert Walton, AP.

Kallet Circuit Acquires Two Houses in Port Henry

Oneida, N. Y.—Kallet Theaters, Inc., headed by M. J. Kallet, with headquarters here, has moved into Port Henry, purchasing the Dery theater there and leasing the Empire. Former will be remodeled, reopening Jan. 1. Kallet operates in 13 other New York cities and towns. Deal gives the circuit 25 houses.

COMING and GOING

GEORGE J. SCHAEFER returns here next week from the Coast for the Coast this week-end.

EDGAR KERNER, manager for Columbia in the British West Indies, has arrived at the home office.

JOHN G. PAINE, general manager of Ascap, and A. P. WAXMAN, public relations counsel, go to Frederick, Md., today along with a group of composers.

Sales Manager ANDY SMITH of RKO Radio is expected back at his desk today following a visit to the Studio and exchanges in the Western district. Smith flew in from Denver yesterday.

TERRY TURNER, head of RKO Radio's field staff in Philadelphia this week working on advance campaigns for runs of "No, No, Nanette" and "Kitty Foley."

HARRY COHEN, RKO Radio branch manager at Los Angeles, is in New York conferring with home office executives.

Midwestern District Manager WALTER BRANSON of RKO Radio Pictures has left for Chicago after conferring at the home office with Captain Leo Devaney of the Ned Depinet Drive forces.

LEON LEONIDOFF has returned from the Coast. LEWIS MILESTONE arrives on the Coast tomorrow after a four-week stay here.

HENRY FONDA arrived from the Coast yesterday via American.

LARRY CREGAR is here from the Coast for a vacation.

BORIS KARLOFF arrived yesterday from Hollywood.

JACK BENNY, MARY LIVINGSTON, PHIL HARRIS, BOB HUSSEY, director of radio for Paramount, and other members of the Benny show left the Coast last night for New York.

DESI ARNAZ and his wife, LUCILLE BALL, return to the Coast this week.

WILLIAM GERMAN is due back this week from the Coast.

George Brown in Charge Of Para. Studio Publicity

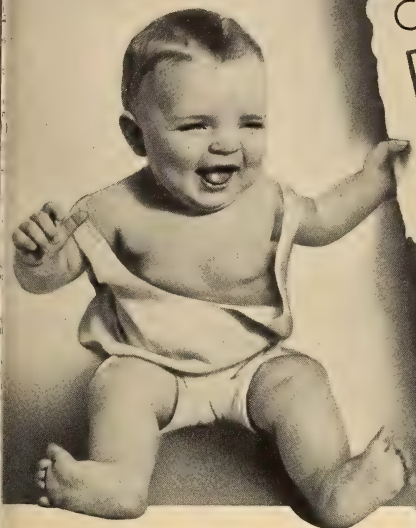
West Coast Bureau of THE FILM DAILY Hollywood—George Brown, formerly with Columbia and Warners, has been made Paramount studio publicity and advertising director succeeding Cliff Lewis who resigned. Blake McVeigh will be in charge of press relations.

Let "ABBYE" Do It

- ★ Christmas Gifts
- ★ Calendars
- ★ Diaries
- ★ Catalogs
- ★ Magazines
- ★ and other Sales Promotion material delivered direct to your Prospects and Customers in a personalized, distinctive manner.

ABBYE ERRAND SERVICE

Circle 6-5314



COMPETITIONS

PERHAPS when the annals of this mad era are on some remote day finally set down in their place in the perspective of Time, it will be known as the Age of Showmanship, a period when all that was accomplished with the multitudes was done with the tools of entertainment, "names" and emotional appeal, supplanting quite the processes of intellect and methods of reason.

Show devices have escaped from the theatre, and now they are all over town, at every night-spotted cross-road, strewn across the nation. So now, more than ever it is the problem of the motion picture showman to increasingly institutionalize his theatre, to make it a place to go, integrated with and built into his community. What the exhibitor is able to put into his theatre on his own cannot be cancelled out or sold away; nor can it be put on the air in competition with him. Now that "all the world's a stage", indeed, the job for the box office is more explicit.

From
Motion Picture
Herald
Nov. 9th

This Calls For ADVERTISING, ADVERTISING, and More ADVERTISING!

Read this clipping. Its meaning is plain ... potent ... TRUE!

Competition outside your business IS keen ... and growing keener. Men with ideas and money to spend developing those ideas are sitting up nights trying to charm your customers away.

You've got to make movie-going a habit again.

This calls for advertising ... advertising and more advertising.

Dress up your theatre ... brighten up your lobby ... institutionalize. Sell your

local drawing population this big idea: THE BEST PLACE TO SPEND AN EVENING or A MATINEE IS YOUR THEATRE ... from an entertainment standpoint ... from any standpoint.

And there is no better place to get that full-dress advertising you need than the place where advertising is a business ... an art ... a profession ... a life-work ... where you can RENT everything you need to sell your pictures and your theatre ... Trailers ... Lobby Displays ... Standard Accessories.

NATIONAL Screen SERVICE • NATIONAL Screen ACCESSORIES

ADVERTISING ACCESSORIES

Exhibs. Don't Like "Grand Rights" Idea

(Continued from Page 1)

rights" device be employed to permit the use of Ascap's catalogue without copyright violation after Jan. 1 recently was advanced on the Coast. Ascap members in their contracts with the Society reserve the "grand rights."

Conceivably, publishing houses linked with the film industry could make available musicals, songs of which is catalogued with Ascap, to radio sponsors through the sale of "grand rights." But, while this practice might be much to the liking of studios desiring to exploit screen operettas and film musicals, exhibitor objections are certain.

This results from the provisions of "grand rights" sales. These provide that not only must the score be played in full but that the story, too, must be told in its entirety.

In the past, exhibitor criticism of radio competition has emphasized that where the story is given away on the air, there is nothing left for the theater to sell. So as exhibition interests see it, the "grand rights" plan, applied to current screen musicals, means the box-office will be hurt rather than helped.

Exhibitor opposition, too, stems from the fact that necessarily radio programs thus framed will mean more so-called hour shows on the air. With several major studios planning to increase the number of musical features next season, exhib. interests see a further menace from 60 minute musicals over the ether.

Warner Employees Give \$5,700 for War Relief

Funds totalling \$5,200, contributed by Warner Bros. employees, were presented to the British War Relief Society yesterday to finance the purchase of two motor kitchen units and 30 hospital bed outfits.

An additional sum of \$500, similarly raised, will be given to the Greek War Relief Fund.

In addition to the money collected, the women employees of the Warner organization have given their services in making some 500 knitted garments.



● ● ● AT the risk of puncturing the pride of old Santa Claus it must be recorded that he's playing second fiddle currently in the hearts and minds of Universal's toilers.....The man of the hour is one Bill Scully.....in whose behalf the rank and file of Universals launched on Monday.....an encore to last season's highly successful Anniversary Testimonial Campaign.....which will continue through May 10.....and eloquently convey to the esteemed General Sales Manager Scully.....the enthusiastic regard in which he is held by U's field forces, et al.....The latter will say it with sales and charges.....Actually, the idea of the big encore originated with the Studio wing.....and spread like the proverbial prairie fire through the various exchange sectors.....until unofficial partnership is now the status, with the Coast crowd as sponsors.....The company itself, we understand, is posing the largest amount of bonus coin and prizes in the org's entire history.....and everyone on the sales firing line.....except the h.o. bloc.....is eligible to win the awards.....

● ● ● IN a friendly, competitive fashion.....the nation is divided for the Bill Scully Anniversary Testimonial.....inasmuch as the eight Eastern branches will vie with the eight Western ones.....Matty Fox is serving as the Honorary Captain of W. J. Heineman's Western Division.....and Milton Feld as Honorary Captain of F. J. A. McCarthy's Eastern Division.....Their respective groups are seeing to it that the encore will be the biggest sustained effort.....in getting results.....Many special prizes augment the general list.....For example, Jules Levey has posted cash awards for special sales and liquidation efforts on "Boys From Syracuse".....There's one thing Mister Scully can never say.....and that is "Nobody loves me!".....With good reason the exhibs. do.....and ditto his U associates.....—and hanged if we ain't stringin' along.....(Maybe it's the torrid enthusiasm for the Scully Anniversary Testimonial which sent Universal preferred stock soaring four whole points to 108 on Wall St.'s Big Board yesterday).....

● ● ● STUFF:.....How about a minor change in title for the Xmas bookings of Kay Kyser's new pic: "Yule Find Out".....RKO Radio is hosting a reception this afternoon in the Honeymoon Cottage Suite of the Hampshire House for Lucille Ball and Desi Arnaz whose marriage has just culminated their Hollywood romance.....Tomorrow noontide in the Sun Room of the Edison Hotel, Ampa's luncheon meeting will be addressed by Jack Cohn, Columbia's vice-prexy, whose subject will be "Let's Get Back To Showmanship" (Maurice Bergman, recently resigned publicity director o' Columbia, now associated with 20th-Fox, will introduce his former boss).....Richmond, Va., wires that Edwin S. Reid, former chairman of the State Board of Censorship, has been appointed a member of the Virginia Unemployment Commission and designated chairman for the year commencing Dec. 28 by Governor James T. Price.....And from Worcester, Mass.: When Monk Maloney was asked by Northeastern University students where they could obtain a practical course in theater advertising, he invited 44 in the ad classes to attend his weekly publicity meetings with the local Poli staff and to submit a campaign on each forthcoming picture.....Ronald Reagan plays the role of a cavalry lieutenant in Warners' "Santa Fe Trail," and the role is a "natural" (He's a cavalry lieutenant in the Army Reserve).....File under "Clean Achievements": Joe Jareck of RKO Radio's still department has finished 351 in standing on the Sanitation Dept. test (There were 96,000 applications).....When Ernst Lubitsch completes "That Uncertain Feeling," which he and Sol Lesser are making on the Coast, it will be the first Lubitsch effort in 17 years to have an American background (Last was "Rosita" starring Mary Pickford).....

DATE BOOK

- Dec. 12: Philly Variety Club dinner, the Bellevue-Stratford.
Dec. 13: B & K Employees' Association dinner, dance, Stevens Hotel.
Dec. 14: Cleveland Variety Club dinner dance, Hollenden Hotel.
Dec. 16: Theater Owners of Oklahoma convention, Skirvin Hotel, Oklahoma City.
Jan. 16: Staten Island Fabian employees' dance, Meurot Club.
Dec. 16: Kincey-Wilby managers convention, Greenville, S. C.
Dec. 17: Arthur Schwartz testimonial luncheon, Hotel Astor.
Dec. 17: Kansas-Missouri Theaters Association convention, Kansas City.
Dec. 18: MPPDA quarterly meeting.
Dec. 19: "Ted" O'Shea-Jack Bowen testimonial luncheon, Hotel Astor.
Dec. 20: Actors' Equity quarterly meeting.
Dec. 20: Cincinnati Metro Pep Club Christmas party.
Dec. 31: The Lambs Gambol, Waldorf-Astoria.
Jan. 14: ATO of Eastern Pennsylvania annual meeting, Philadelphia.
Jan. 26: Actors' Fund of America annual benefit, Winter Garden.
Feb. 2-3: Virginia MPTO Winter convention, Shoreham Hotel, Washington.
May 5-8: SMPE Spring convention, Sagamore Hotel, Rochester.

Consent Decree! No, Asserts Ascap

(Continued from Page 1)

matter, as consideration of the old Ascap suit is still pending.

It is reported that the Government may try to settle the old suit by a consent decree, which would include objections raised by the broadcasters.

Ascap offices here yesterday dismissed Washington reports of an impending consent decree with, "No foundation."

Meanwhile, it was announced by the FCC that it had not been asked to mediate in the Ascap-Radio controversy.

Ascap claimed yesterday that 135 music publishers, controlling more than 200,000 songs, have signed new pacts with it.

Norma Talmadge Recovering
West Coast Bureau of THE FILM DAILY
Hollywood—Norma Talmadge is recovering from a goiter operation.

Howard Broadcast As "Wind" Feature

Atlanta—From the Ritz Theater, London, where GWTW is now playing, Leslie Howard will make a transatlantic broadcast over NBC at 8 a.m. tomorrow to open a day's celebration here exactly one year after "Wind's" original roadshow premiere. Broadcast will set the stage for tomorrow night's anniversary premiere at Loew's Grand, which launches the pop-priced general release of the pic.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Comrade X"

with Clark Gable, Hedy Lamarr, Felix Bressart, Oscar Homolka

Metro 90 Mins.

SPARKLING COMEDY SHOULD BE SMASH B.O. HIT; CAST, STORY, DIRECTION AND PRODUCTION EXCELLENT.

From the foreword to the finale, this new Metro offering is packed with laughs and funny situations. It is a sure-fire box office smash and a nice Christmas present for exhibitors, with Metro's prestige and reputation certain to be further enhanced. It's a picture that every audience will like immensely, and what is better, will advertise by word of mouth and in a number of cases probably go back for a second helping of the same.

Certainly no exhibitors could ask for two bigger "names" to splash on his marquee, and no exhibitor could ask for anything more in the way of a supporting cast, direction, story or production value for the purpose of selling the picture. And the picture itself is pure entertainment, satire at its funniest, with the general public definitely more interested now than ever before in pictures that are purely entertaining. Some flag waving and pointed jabs at the Bolos are adroitly injected into the proceedings, but not at the expense of undermining the comedy.

Gable is bluff, capable and well cast in the role of a newspaper reporter for the Topeka Bugle, also being the unknown Comrade X who is continually getting embarrassing stories out of the country to a big newspaper syndicate. Miss Lamarr essays a comedy role with swell results. Her acting talents assume a new stature and she definitely proves her ability as a comedienne. In juicy supporting roles, Felix Bressart, Oscar Homolka, Eve Arden, Sig Ruman, Natasha Lytess and Vladimir Sokoloff give expert characterizations. Reminders of the cast is equally good.

Director King Vidor handled the players and story with a sure touch, making the most of every gag and laugh line, injecting plenty of amusing business into the picture and maintaining a smooth pace from start to finish. Producer Gottfried Reinhardt leaves nothing to be desired in production value. The screenplay concocted by Ben Hecht and Charles Lederer is a winner in any league. Original story credit goes to Walter Reisch. All the technical work is top notch, with Joe Ruttenberg turning in a neat job of photography.

Gable finds out that Bressart, a porter in the Moscow hotel where he lives, knows his identity as Comrade X when he demands that he take his daughter out of the country before she is shot as a "Communist" or be turned over to the police. Gable meets the daughter, Miss Lamarr, a street car conductor named Theodore because only men can drive street cars, and lays his plans to get out of the country. Miss Lamarr calmly announces they will be married and then everything happens at once. The police catch them, Gable gets them out of jail and then they make a perilous escape, finally getting into Rumania in a Russian general's tank in a sequence that will bring howls of laughter. It's not necessary to say that by this time Gable has sold Miss Lamarr on Democracy, the Dodgers and

"Go West"

with Groucho, Chico and Harpo Marx, John Carroll, Diana Lewis

Metro 81 Mins.

WILD FARCE IS ENTERTAINING SCREENFARE FOR GENERAL AUDIENCES; COULD STAND LITTLE EDITING.

The Marx Brothers are back again. They clown, cavort and make faces at each other and all and sundry, get in their usual inextricable jams and upset everything and everybody, and with amusing results for general audiences to view. Picture is wildly funny in some places, amusing for the most part and dead in one or two spots that a little editing could improve. Harpo and Chico display their musical talents on the harp and piano, and the supporting cast is good.

Exhibitors shouldn't have any trouble selling the picture. It can stand on its own feet as a top attraction in the nabe houses, makes a whale of a second attraction for some super-spy bill, and it should go over big with the dyed-in-the-wool Marx fans. In addition to the Marx freers, John Carroll, Diana Lewis, Walter Woolf King, Robert Barrat and June MacCloy prove helpful to the proceedings. Edward Buzzell directed, making the most of the gag situations lively at all times where the script doesn't slow it down.

Story framework for the picture concerns the Marx Brothers' trek to the West. They become involved in a transaction for property rights a railroad wants and everything happens from there on. The windup sequence is one of the best they have ever had and it will get heavy laughs from any audience. It might be noted in passing that Groucho is known as S. Quentin Quale in the picture.

CAST: Groucho, Chico and Harpo Marx, John Carroll, Diana Lewis, Walter Woolf King, Robert Barrat, June MacCloy, George Lessey, Tully Marshall.

CREDITS: Producer, Jack Cummings; Director, Edward Buzzell; Original Screenplay, Irving Brecher; Cameraman, Leonard Smith; Editor, Blanche Sewell.

DIRECTION, Good. PHOTOGRAPHY, Good.

McKinney to Nassau As Wometco Manager

Miami Beach—Ira McKinney has been promoted to head Wometco's three Nassau houses. He formerly managed the Grove here. Replacing is his former assistant, Guy M. Warner.

Gable. (Reviewer's aside: I think I'll go see it again myself.)

CAST: Clark Gable, Hedy Lamarr, Felix Bressart, Oscar Homolka, Eve Arden, Sig Ruman, Natasha Lytess, Vladimir Sokoloff, Edgar Barrier, George Renavent, Mikhail Rasmay.

CREDITS: Producer, Gottfried Reinhardt; Director, King Vidor; Screenplay, Ben Hecht and Charles Lederer; Original Story, Walter Reisch; Cameraman, Joseph Ruttenberg; Editor, Harold F. Kress.

DIRECTION, Excellent. PHOTOGRAPHY, Excellent.

"Let's Make Music"

with Bob Crosby, Jean Rogers, Elizabeth Risdon, Joseph Buloff, Joyce Compton

RKO Radio 84 Mins.

FAST, ENTERTAINING COMEDY SPIKED WITH HIT MELODIES AND TOP-FLIGHT CHARACTER ACTING.

Bob Crosby makes an impressive debut as a film luminary in this his initial feature vehicle,—a picture which is laden with bright comedy, warm human interest, and spiked generously with songs rendered in the best spirit of modern swing.

The new star (as far as cinemaland is concerned, although he has a grand national following by virtue of his radio croonings and as maestro of his ork) plays his role with commendable reserve, surety and charm, which augurs well for his Hollywood career. His singing, whether solo or as the voice augmented by that rhythmic quartette, The Bobcats, is standout, and much of the appeal he carries in "Let's Make Music" springs from Leslie Goodwins' intelligent direction and the clever dialogue penned by Helen Phillips and Bernard Dougall.

It is subtracting nothing from the effectiveness of the Crosby performance to call attention to the fact that Producer Howard Benedict has seen well to it that the young star would not be performing without very substantial histrionic co-operation. This is provided in chief and resounding measure by Elizabeth Risdon, who turns in a grand job as the central character in the story,—the elderly lady who teaches musical appreciation to the all-too-bored pupils of Newton High School, but who sheds her academic cloak completely via becoming a pop song writer whose composition "Fight On For Newton High" wins a number of things: fame, fortune and the enjoyment of life for herself, and a husband for her school-teaching niece, Jean Rogers, who captures the Crosby heart.

Audiences will enjoy immensely the laugh-packed situations, the natural acting and action, and four splendid melodies, "You Forgot About Me," "The Big Noise From Winnetka," and "Fight On For Newton High." It's a picture for all situations, ages and types, although it is conceivable that some inflexible devotees of classical music may be holdouts, and term it esthetically "gross." But it's plenty gross for box offices. Even added snap might be given the footage by editing down the New York City sequences; but that's a very minor matter.

CAST: Bob Crosby, Jean Rogers, Elizabeth Risdon, Joseph Buloff, Joyce Compton, Bennie Bartlett, Louis Jean Heydt, Bill Goodwin, Frank Ork, Grant Withers, Walter Tetley, Benny Rubin, Jacqueline Nash, Donna Jean Dolfer, and Bob Crosby's Orchestra featuring The Bobcats.

CREDITS: Executive Producer, Lee Marcus; Producer, Howard Benedict; Director, Leslie Goodwins; Screenplay, Nathaniel West; Special Dialogue, Helen Phillips, Bernard Dougall; Musical Director, Roy Webb; Director of Photography, Jack Mackenzie; Art Director, Van Nest Polglase; Associate, Albert D'Agostino; Gowns by Edward Stevenson; Recorded by P. J. Faulkner, Jr.; Editor, Desmond Marquette.

DIRECTION, Fine. PHOTOGRAPHY, Skillful.

"The Lilac Domino"

with Michael Bartlett, June Knight, S. Z. Sakall

Select Attractions 65 Mins.

MUSICAL COMEDY HAS GOOD PRODUCTION VALUE, BUT SUFFERS FROM TECHNICAL FAULTS.

There are a number of pleasant things about this British-made picture, but it has an equal number of faults. As a program offering for the nabe trade, it has possibilities, but only as a supporting attraction. On the plus side of the picture is an elaborate and handsome production value, the handsome and personable singer, Michael Bartlett, and some pleasant music. But Bartlett's fine voice suffers from poor recording, and the picture suffers from mediocre direction and poor photography.

With the exception of Bartlett, Athene Seyler, S. Z. Sakall and Miss Knight, the cast is only adequate. Bartlett and Miss Knight put over several numbers pleasingly, but director Frederick Zelink has failed to give the picture a smooth pace or any real moments of action or excitement even in the romantic interludes. Fred Emney contributes a good bit, but with a Hungarian background the British accents are overly thick at times. Adaptation by R. Hutter of the operetta of the same name and the script dialogue, which is static and uninspired, by Basil Mason and Neil Gow, is to blame for the scrambled continuity and weak lines.

Bartlett, soldier and lady killer, is broke. He and his friends gamble away what is left, but in the meantime Bartlett meets Miss Knight, whom he falls in love with but does not recognize as the daughter of the richest man in Hungary. Masquerades and mistakes crop up until Bartlett gets the girl.

CAST: Michael Bartlett, June Knight, S. Z. Sakall, Athene Seyler, Richard Dolman, Cameron Hall, Fred Emney, Paul Blake, Jane Carr, M. Harvey, Robert Nainby.

CREDITS: Director, Frederick Zelink; Screenplay, R. Hutter; Dialogue, Basil Mason and Neil Gow; Based on an operetta by E. Gatti and B. Jenbach; Cameraman, Roy Clarke and Bryan Langley; Editor, Lynn Harrison.

Para. Withdraws "Wings," Set for March Release

Paramount's "I Wanted Wings," which had been scheduled for release on March 21, 1941, has been withdrawn from release, according to Neil Agnew, general sales manager. No reason for the withdrawal was given. "I wanted Wings" was to have been an elaborate aviation picture co-starring Ray Milland, William Holden, Wayne Morris and Brian Donlevy.

Astor Has Xmas Film

"Springtime in the Holy Land," a two-reel subject in Dufaycolor, is being released nationally by Astor Pictures as a special Christmas week attraction.

5-State Exhib. Meet On Legislation!

(Continued from Page 1)

sin, Minnesota and the upper peninsula of Michigan will be invited.

Louis B. Schwartz, attorney for the organization, has advised that every objective of the Government anti-trust suit could be achieved through state legislation notwithstanding the consent decree and that any competent attorney familiar with the trade could draw such legislation which would stand a court test.

"Zingo" and "Cash Quiz" Legal, Philly Judge Rules

(Continued from Page 1)

be legal games, thereby approving playing of the games for cash in local theaters. The court ruled that the games as played were dependent on skill, not chance.

Decision is expected to increase the number of games-playing houses, which have been at a minimum since "Bank Nights," etc., were outlawed.

David W. Yaffee was the attorney in both cases.

Griffith Interrogatory Objections Due Jan. 2

(Continued from Page 1)

R. E. Griffith Theaters, Inc., Westex Theaters, Inc., Consolidated Theaters, Inc. and Griffith Amusement Co., and the three Griffith brothers, L. C. Griffith, R. E. Griffith, and H. J. Griffith.

Press Previews at Studios

West Coast Bureau of THE FILM DAILY
Hollywood—Effective Dec. 15 all press preview showings will be held in studio projection rooms, according to an announcement made by Y. Frank Freeman, president of MPPA.

WEDDING BELLS

Des Moines, Ia.—Isabelle Conkling of Paramount's branch will be married to David B. McCurnin in the Spring. Latter is an attorney.

Richmond, Va.—Robert Dunnivant, Venus Theater attache, was married to Edith Bass.

Racine, Wis.—Leonard A. Dorece, associated with his father, Steve, in the operation of the Crown theater here, was married to Mini Schafer.

Green Bay, Wis.—Malcolm Parks, attache of the Packer theater here, was married in Fort Atkinson, to Caryl Clark.

Sheboygan, Wis.—Roland Blankemeier, local projectionist, was married to Mildred Scherer.

Decree Relieves Warners of Great Expense And Risk of Long Litigation, Says Counsel

Wilmington, Del.—Through the consent decree in the New York equity suit, Warners is relieved "from the great expense and risk of long and arduous litigations with the Government in many courts," the company's stockholders were informed at the annual meeting here.

Statement on the decree, read by Edwin D. Steel, Jr., of Warner counsel, emphasized that there had been no admission that the company had done any wrongful act or violated the law, and pointed out that while the Big Five will not engage in any general program of extending their theater holdings for three years, "they are free to acquire theaters to protect their investment or their competitive position, or for ordinary purposes of their business."

Expect 1,000 to Attend O'Shea-Bowen Luncheon

(Continued from Page 1)

York and New Jersey, at the Astor on Dec. 19.

Arrangements for the testimonial were completed yesterday at a meeting of the committee, headed by Harry Brandt. Tickets will be \$5 per head and may be secured from Joe Lee at the 20th Century-Fox exchange. Checks are to be made out to Arthur Rapp, treasurer.

Serving with Brandt on the committee are:

J. J. O'Connor, C. C. Moskowitz, Hon. James J. Walker, Samuel Rinzler, Laurence Bolognino, William A. Scully, William F. Rodgers, Tom Connors, Edward Saunders, Martin Levine, Howard Dietz, Edward Rugoff, Samuel Strausberg, Walter Reade, Si Fabian, J. Meyer Schine, Frank C. Walker, Vincent McFaul, Charles Hayman, Max A. Cohen, Charles Moses, Leo Brecher, Joseph Katsch, Leon Rosenblatt, Don Jaycox, Harry Hecht, Lee Newbury, David Snaper, David Weinstock, Joseph Seider, Frank Moscato, H. F. Kinney, Ben Rosenwald, Sidney Lust, William Crockett, Milt Kusell, also—

Harry Busbaum, Joe Lee, Bob Wolfe, David Levy, Jack Ellis, Nat Dietz, Edward Schmitz, Clarence Eiseman, Ben Abner, Oscar A. Doob, A. P. Waxman, Lionel Toll, Si Seadler, Burtis Bishop, Harris Wolfberg, John Maloney, Maurice Kann, Chick Lewis, Jack Allicote, Chester B. Bahn, Sam Shain, Terry Ramsaye, Herman Robbins, J. J. Thompson, Charles L. O'Reilly.

Ontario Clearance Board Meets Again on Tuesday

(Continued from Page 1)

ing on the board are Ben Gelsaler, Morris Stein and T. J. Bragg, representing the chains; A. Alexander, H. Freedman and N. A. Taylor, representing the independents, with H. Firestone as alternate for the independents. There are two representatives of the distributors still to be named. These will be non-voting members and eligible to be present on invitation only.

Ahepa to Use Reserve Funds for Greek Relief

Washington Bureau of THE FILM DAILY

Washington—Following a meeting of Ahepa leaders at the Hamilton Hotel here yesterday, attended by more than 60 chapter leaders from all parts of the nation, Van A. Nomiok, Chicago theater operator and president of the Greek Society, said it would turn over a large portion of its reserve fund to the nationwide drive to raise \$10,000,000 for relief of Greek war victims.

Associated British Now Producing at Welwyn

Associated British production, transferred from the Elstree Studios, is proceeding in Welwyn, well outside of the blitzkreig area, according to a letter received in New York yesterday from Jack Grossman, company exec.

On the production side, only the laboratories and cutting rooms remain active at Elstree. However, part of the shipping department has been shifted there from Wadour St. Grossman writes that the rest of the Elstree plant is being used "for a much more vital purpose."

The Associated British exec. discusses the work accomplished by the Elstree Fire Brigade, now part of the London Region, since the Nazis began their aerial assaults. The studio fire fighters, he says "have had the great luck to be called upon on many occasions to be among those to take part in all the big London fires—all caused by enemy action and practically every one of a non-military objective."

"The London Fire Service has been badly hit in casualties, but they have been of a very small proportion considering the great risks which all the boys seem to take without a single thought of danger," Grossman writes.

"Many film folk are in the Civil Defense Services, which comprise women ambulance drivers, rescue squads, demolition squads, first aid detachments, etc., and nearly every time we are out on a job, I have come across men and women of all ages who have at some time earned quite a good livelihood with studio grease paint upon their faces."

Canadian Pix Contribute To Brit. Air Raid Relief

London (By Air Mail)—The Lord Mayor of London has received a contribution of £5,000 from the Motion Picture War Service Committee of Canada for the aid of victims of Nazi air raids.

Army-Film Liaison Officer

West Coast Bureau of THE FILM DAILY

Hollywood—Captain Charles Spotter has arrived here to act as liaison officer between the chief signal officer of the U. S. Army and the motion picture production defense committee.

4 Interstate Suits To Trial in January

(Continued from Page 1)

state and the distributors violated the Sherman anti-trust laws. The contracts forced subsequent-runs to hold their admission prices to a minimum of 25 cents.

Independent exhibitors are claiming damages on the grounds that they were forced to raise their prices from 20 cents to 25 cents, thereby suffering losses of patronage.

Ploquin Named French Film Commissioner

Vichy (By Cable)—Active head of the French film industry under Vice Premier Pierre Laval, whose post as "czar" corresponds to the control exercised over the German industry by Dr. Goebbels, will be Rene Ploquin, designated as Government Commissioner.

Setup provides additionally for a Central Committee composed of Marcel Pagnol, Jean Painleve, Jean Galland and Marcel Archard who, in turn, will head sub-committees.

Ploquin's Film Commission itself is a sub-division of the Ministry of Information, portfolio of which is held by Laval. Commission is armed with broad powers, and will be financed through special dues to be paid by all theaters.

Licensing of producing companies and restrictions on length and complexity of film programs is provided.

Schreiber Again on Stand In His Midwest Suit

(Continued from Page 1)

sold away from him regardless of what price he offered to pay, and that minors took advantage of the situation to charge increased rentals.

Jack Broder, owner of the Time, Times Square, and Rainbow Theaters, testifying for the plaintiff, said that he did not get a chance to bid on pictures, although he offered to sign blank contracts giving distributors the right to fill in the names of pictures.

Larchmont to Prudential

The Larchmont Theater, Larchmont, N. Y. has been sold to Prudential Playhouses by the Palmer Amusement Corp., it was announced yesterday by Berk and Krumgold, theater realty operators. Prudential, headed by J. M. Seider, now operates about 40 houses in the Met area.

STORKS!

Indianapolis — A baby boy was born to Mr. and Mrs. Larry Shubnell at St. Vincent's Hospital here. Father is office manager at Columbia's exchange.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"The Lady in Question"

with Brian Aherne, Rita Hayworth, Glenn Ford, Irene Rich, George Coulouris
Columbia 81 Mins.
LIVELY HUMAN INTEREST DRAMA, WITH STRONG STORY. BEST SUITED FOR ADULT AUDIENCES.

With the fundamental story elements which made the French film, "Heart of Paris," so successful under that title in U. S. release, Columbia has wrought a new and entertaining picture whose script deals with the court trial of a girl who is accused of murder, is acquitted chiefly through the efforts of one of the jurors, and is then befriended by this same salesman who gives her a job in the bicycle shop he operates, and even brings her into his own household to live.

There are, of course, certain complications in the latter movie since the son of the sympathetic bicycle dealer falls in love with her. Consequently, the basic human factor is injected, namely, that many individuals can afford to be generous and noble except when a question deeply concerning their own families or themselves occurs.

There is considerable drama in the footage which finds Brian Aherne as the merchant-juror, Irene Rich as his patient spouse, Glenn Ford as their son, and Rita Hayworth as the accused "lady in question." Virtually all mature audiences will like this feature because it is different from the run-of-the-mine offering; is well-acted; is rich in human interest, and not wanting in humor. Charles Vidor's direction is firm and the dialogue crisp.

CAST: Brian Aherne, Rita Hayworth, Glenn Ford, Irene Rich, George Coulouris, Lloyd Corrigan, Evelyn Keyes, Edward; Norris Curt Bois, Frank Reicher, Sumner Getchell, Nicholas Bela.

CREDITS: Author, Marcel Achard; Screenplay, Lewis Meltzer; Director, Charles Vidor; Assistant Director, C. C. Coleman, Jr.; Director of Photography, Lucien Andriot; Film Editor, Al Clark; Art Direction, Lionel Banks; Music by Lucien Morawek; Musical Director, M. W. Stolfow; Sound Engineer, J. S. Westmoreland.

DIRECTION, Firm. PHOTOGRAPHY, Good.

Shirley's First for Metro

West Coast Bureau of THE FILM DAILY
Hollywood—Shirley Temple's first picture under her Metro contract, if negotiations with her representatives are concluded, will be "Cathleen" by Kay Van Ripper. At one time Metro considered the story for Virginia Weidler. Metro has bought another story for a child actress, "Mama's Angel," by Angna Enters, the pantomimist.

John Hyams Dies

West Coast Bureau of THE FILM DAILY
Hollywood—John Hyams, veteran vaude performer and father of Leila Hyams, died here Monday in Holywood Hospital. He leaves a widow, two sisters and a brother besides his daughter.

"Gallant Sons"

with Jackie Cooper, Bonita Granville, Gene Reynolds
Metro 73 Mins.
DRAMATIC YARN WOVEN AROUND A MURDER OKAY AS OFFERING FOR SMALLER SPOTS.

A cast of personable and capable kids with the support of some expert adult talent make this offering entertaining as screenfare for the smaller spots. Story itself has a good plot, but its unmasking approaches the incredible at times. There is plenty of action, a considerable amount of drama and emotional appeal, and it moves along without any hitches to a fast climax.

Jackie Cooper, Bonita Granville, Gene Reynolds, Leo Gorcey, June Preisser and William Tracy handle the principal juve parts with dispatch, Reynolds doing a bangup job in a sympathetic role. Ian Hunter, Gail Patrick and Edward Ashley are effective on the adult side of the ledger, and June Preisser, El Brendel, Ferike Boros, Minor Watson and Tommy Kelly are helpful. George B. Seitz directs the picture smartly, making the kids' troubles completely understandable and their emotions realistic.

Reynolds, son of Hunter, a crusading newspaper publisher, and Bonita Granville daughter of Miss Patrick, a wealthy widow and sportswoman, are schoolmates. Hunter takes the rap for a murder charge and Reynolds, inconsolable, goes to live with Gail and Bonita. Cooper and Reynolds fall out because of Watson's newspaper charges against the gambler, but Cooper determines there is more than meets the eye in the murder and starts an investigation with the help of the other kids. Ashley is eventually uncovered as the murderer, but not before lots of dramatic action and a hectic climax have transpired.

CAST: Jackie Cooper, Bonita Granville, Gene Reynolds, Gail Patrick, Ian Hunter, June Preisser, Leo Gorcey, William Tracy, Tommy Kelly, Edward Ashley, El Brendel, Ferike Boros, Minor Watson, Charlotte Winters, Donald Douglas, George Lessey.

CREDITS: Producer, George Stephani; Director, George B. Seitz, Screenplay, William R. Lipman and Marion Parsonnet; Cameraman, Sidney Wagner; Editor, Ben Lewis.

DIRECTION, Good. PHOTOGRAPHY, Good.

Metro Titles White Biog.

West Coast Bureau of THE FILM DAILY
Hollywood—"The Sage of Emporia" will be the title of Metro's biographical film on the life of William Allen White. Studio has changed title of "Bad Man" to "Pancho Lopez, Pad Man."

RKO to Serialize "Foyle"

Newspaper serialization rights to "Kitty Foyle" have been obtained by RKO Radio. Serial will be supplied to key newspapers throughout the country in 24 installments.

"U" Engages Broadway Actor

West Coast Bureau of THE FILM DAILY
Hollywood—Universal has engaged Leonard Elliott, who appeared on Broadway in "Family Portrait," for "Buck Privates."

★ SHORTS ★

"Picture People"

RKO-Pathé 10 mins.
Good Hollywood Stuff

This reel should interest the average audience as well as dyed-in-the-wool movie fans. It reveals Carole Lombard as a director, all in fun; Gene Autry is seen at home and traveling in his luxurious trailer with his horse, Champion; Charlie McCarthy is seen taking his medical examination to join the Air Corps.; Lola Lane is seen on her ranch; and the reel also shows Richard Arlen at his airport, which he runs as a school for young pilots. Subject matter is interesting and the material has been carefully chosen and shot by Director Louise Rousseau.

"Fire Chief"

RKO 8 mins.
Fairly Funny

Donald Duck and his three nephews comprise the local fire department. The kids trick Donald with a false alarm and he makes them drill to get even. Donald accidentally sets the fire house ablaze, but it's not until the truck is several blocks away that he discovers where the fire actually is. He puts the fire

out eventually, but not until the fire house and the truck have been completely wrecked through his using gasoline instead of water. Subject is a Walt Disney production in Technicolor.

"Goofy's Glider"

RKO 8 mins.
Funny Cartoon

Goofy takes up glider flying in this reel with laughable results. His first effort to take off as he reads an instruction book is very sad. At the same time a voice is heard in the background detailing instructions and explaining mishaps. Goofy continues his experiments and after considerable trouble finally takes off, but his impetus is so great he disappears from sight. Reel is a Walt Disney production in Technicolor.

"Growing Up"

RKO-Pathé 18 mins.
Interesting Subject

The Dionne quintuplets, now in their seventh year, are brought to the screen in this two-reeler in a biography that should interest audiences. It starts shortly after their birth and shows them at different stages of development from that time on. The quintts are shown knitting and doing a number of other things. Dr. Allen Roy Dafeo is the narrator for the subject, and he is certainly qualified for the job.

26 Years of Progress

Twenty-sixth Anniversary and Annual Holiday number of Greater Amusements will be published under date of Dec. 20.

Replete with unusual and informative features, graphically presented, this issue will mark a new high in film trade publication.

Make Your Reservations Now

GREATER AMUSEMENTS

Lumber Exchange . . . Minneapolis

Copyright Violations Show Slight Drop

(Continued from Page 1)

for each theater found to be involved in unauthorized extensions of run or so-called "hold-overs" there were seven theaters found to be involved in bicycling. On the other hand, Levin said, where general territorial investigations, not based on specific complaints, were made of the theaters in a number of selected exchange territories, it was found that six theaters were involved in hold-overs to only one engaged in bicycling.

In regard to exhibitors who were found to have appropriated unlicensed extra days' use at the same or another theater, Levin's report stressed the fundamental copyright basis of the distribution system; namely, that only those exhibitions booked in advance of playdate, as confirmed in writing in the regular course by the distributors for specified dates at a designated theater, are considered licensed exhibitions. This basic principle, the report states, is unaffected by the consent decree, whether pictures are marketed singly or in blocks of any number.

During the current year, investigations of stolen, duped and bootlegged prints became a regular department of the bureau's activities. This activity, according to Levin, resulted in the recovery and return to distributors of 91 subjects in whole or in part. Investigations ranged from the recovery of duped and stolen prints from the bootleg distributors to locating their sources of supply. The bureau also obtained certain deletions of infringing sequences from 35 mm. and 16 mm. negative and positive films. A former theater employe and a bootleg distributor to whom he had sold such pictures were criminally prosecuted and convicted on the evidence submitted to Chicago police by Harold L. Groves, in charge of field investigations.

Tribute to the late Gabriel Hess, special counsel for the distributors on copyright matters, was paid by his successor, Edward A. Sargoy, in an accompanying report. Associated with Sargoy is Joseph L. Stein.

Morros, Usher Hosts To Chi. Film Critics

Chicago—Boris Morros and Allen Usher, Paramount district manager, will be hosts to the Chicago film critics at a special showing of "Second Chorus," at the Yar restaurant tomorrow evening.

Jaffe Back With Loew's

Leo Jaffe, now superintendent of the Clark Building, (S-W), Pittsburgh, has resigned to rejoin the Loew fold as superintendent of the Loew building here. He reports Dec. 23.

Biz Upward Trend Continues Storms Hurt in Some Areas; Quick Comeback

(Continued from Page 1)

tinues to pick up. B. O. temporarily hit by weather.

DETROIT: Holiday rush has started and business in general looks very good. Weather temporarily hurt grosses.

CLEVELAND: Current theater grosses are above average.

PITTSBURGH: Theater grosses up, with general business at its highest peak since 1935.

MILWAUKEE: Department stores expect the heaviest buying of any year in the last 10. Theater grosses show improvement.

BOSTON: Little change in the trend of general business for the past week or so. Weather hit northern B.O.

WASHINGTON: General business in Washington, Baltimore and Norfolk continues good. Theater business is slightly above average, with many pictures being held over. Grosses in the smaller towns are up; matinee business is good.

KANSAS CITY: Increasing number of theater patrons are commenting on an apparent change for the better in the quality of current releases.

ST. LOUIS: Manufacturing and retailing are from 10 to 20 per cent better than they were at this time last year. Theater grosses are back to normal.

LOS ANGELES: Increased employment in the aviation industry, makes for general improvement.

SAN FRANCISCO: All types of

business in San Francisco and the Bay area continue to show rising indices.

SEATTLE: Lumber mill strike hurt biz.

DENVER: Most theater grosses are showing an increase over past average business. There is reason to look for continued improvement.

SALT LAKE CITY: Theater grosses have not yet showed the expected increase, except for some of the bigger pictures.

DES MOINES: The bigger pictures are doing exceptionally well. Lively public interest in films.

CHARLOTTE: Business is generally good throughout the Carolinas.

ATLANTA: All lines of business continue on the upgrade.

NEW ORLEANS: Polio epidemic which had been felt in parts of northwestern Louisiana is about over. Theaters have reopened and children are again admitted. Grosses, however, have not yet fully recovered. Defense program has put a considerable number of men to work in Alexandria, La., and several new indie theaters are being built in the vicinity.

OMAHA: Regional retail business improved, with the local crop outlook brighter.

PORTLAND: Business in general above average, but this has not yet been reflected in theater grosses.

NEW HAVEN: Business throughout Connecticut is generally good. Film companies are optimistic.

DALLAS: Heavy rains hurt biz.

Fewer Films Go Before Chicago Censor Board

Chicago—Chicago Censor Board in November reviewed 32 fewer films than in the same month last year. Total for this year was 106, with footage of 507,000, as against 138 with footage of 660,000.

No rejections were made last month, there were no pink films and only 38 cuts were made, whereas in November, 1939, four films were rejected by the Board.

The Board has received a request from N. H. Brower, general manager of Soundies, as to the amount of license fees, required to exhibit Soundies equipment in the Chicago territory. Lieut. Harry Costello advised the City Council will have to determine as there are no provisions in the City Code.

Pan-American Day Banquet

Toronto — Toronto Flying Club, member of the Canadian Flying Clubs Association, will sponsor a Pan-American Day banquet at the Royal York Hotel and the "hemispheric premiere" of M-G-M's "Flight Command" at Loew's, on Dec. 17, as a tribute by Canadian flyers to the associates in the United States.

Brazee Named District Manager for WB Houses

Chicago—Marcel Brazee, formerly manager of the Avalon Theater, has been named district manager for seven Warner theaters in Wisconsin, including the Venetian, Rialto and State, Racine, the Rex, Sheboygan; Majestic at Sheboygan, and the Warner Theater in Milwaukee. Brazee will make his headquarters in Milwaukee. Jack Keegan has been named manager of the Venetian Theater, Racine.

Baseball Pix in 8 B & K Theaters as Free Shows

Chicago—In a triple tie-up, the official baseball pix of the American and National Leagues go into the B & K Tivoli, Uptown, Paradise, Norshore, Southtown, Harding, Berwyn and Gateway Theaters Dec. 24, 26, 27 for free morning shows. Ticket distribution is via the sports department of the Daily News.

Rites for "Bill" Franey

West Coast Bureau of THE FILM DAILY Hollywood—Funeral rites for William "Bill" Franey, 58, veteran comedian, will be held today.

3 Defendants Fined In Chi. Contempt Case

(Continued from Page 1)

Judge Woodward's decree are: B & K, \$500; B & K Management Corp., \$2,500, and Paramount Pictures, Inc., \$2,500. These companies entered no defense.

Eldredge found no evidence of guilt on the part of Barney Balaban in his report and recommended that the charge against him be dismissed.

The following defendant companies were acquitted of the contempt charge in Judge Woodward's decree: Warner Bros., 20th Century-Fox, RKO Radio, Loew's, Inc., United Artists, Universal and Vitaphone.

40 Off Today on Warner Trip to "Santa Fe" Bow

Contingent of approximately 40 leading newspaper editors, columnists, radio commentators and others, headed by Mort Blumenstock, Warner's Eastern advertising and publicity head, leave New York today to attend the three-theater World Premiere of "Santa Fe Trail" in Santa Fe, N. M., at the week-end. Midwestern newspaper critics, syndicate writers and columnists will board the train in Chi.

Attending from the East and Midwest:

Doris Arden, Chicago Herald Examiner; Louis Alvin, I.N.S.; James C. Austin, U.P.; Howard Barnes, Herald Tribune; Lucius Beebe, Herald Tribune; Cliff Buechel, manager, Mary Anderson Theater, Louisville, Ky.; Mrs. Douglas Churchill; Kyle Crichton, Collier's; John Catter, Chicago U.P.; Ivan Dmitri, Frank Farrell, World Telegram; Abel Green, Variety; Nate Gross, Chicago Herald Examiner; Mr. and Mrs. Sid L. Hyndman, Redbook Magazine; Jack Laft, Daily Mirror; Mr. and Mrs. Boyd Martin, Louisville Courier Journal; Harry Martin, Memphis Commercial Appeal; Mary Mason, N.B.C.; John McManus, PM; Lionel Moise, King Features; Lee Mortimer, Daily Mirror; Mrs. Barney Oldfield, Lincoln, Neb.; Lucia Perrigo, Chicago American; Merle Potter, Minneapolis Times Tribune; Terry Ramsay, M. P. Herald; Monroe Rubinger, Ardis Smith, Buffalo Evening News; Louis Sobol, Journal American; Louis Stevenson, Bell Syndicate; Ed Sullivan; M. R. Werner, New Yorker; Prunella Wood, King Features.

Going from the Warner Home Office, in addition to Mort Blumenstock, are: Mitchell Rawson, Ralph Budd, Gil Golden and Sid Rechtnik.

GM Sending Out Two Free Shows; to Play South, West

Detroit—Two touring shows, one for outdoor and the second for indoor exhibition, are being routed by General Motors. The outdoor show, Parade of Progress, will play the larger cities in the South; it will travel in 22 motor transports and will have a staff of 50 under J. M. Jerpe. Previews of Progress, indoor show, will play the West, its itinerary including smaller situations. E. L. Foss is in charge of the latter show and will have a staff of seven. Both will be free attractions. Shows will feature highlights of the GM exhibits at the New York World's Fair and the San Francisco exposition.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 115

NEW YORK, THURSDAY, DECEMBER 12, 1940

TEN CENTS

PRODUCT LACK MAY CLOSE CUBAN HOUSES See Minimum of Disputes Under Arbitration Plan

Forecast Based on Experience of AAA With Other Lines of Business, Trade

Disputes will be held to a minimum if the motion picture industry reacts to an established arbitration system in the same manner that other lines of business have adopted arbitration under the American Arbitration Association.

The very fact that an arbitration system exists has been a factor in avoiding controversies, it was learned yesterday. As an example, it was pointed out that the airlines of the

(Continued on Page 12)

Films' Greek Relief Quota is \$3,000,000

Washington Bureau of THE FILM DAILY
Washington—The film industry is expected to contribute \$3,000,000 of the \$10,000,000 sought in the current Greek War Relief Drive, it was said here yesterday by Van Nomikos, Chicago theater operator

(Continued on Page 12)

Triple London Premiere For "Dictator" Monday

Three simultaneous openings of "The Great Dictator" in London have been scheduled for Monday, according to Walter Gould, head of United

(Continued on Page 9)

British Exhibs. May Seek Cut in Quota

London (By Air Mail)—In view of the shortage of pictures, and the probability that it will continue, British exhibitors are starting to agitate for a cut in their quota. Difficulty of producers in finding studio space adds to the likelihood of increasing shortage of films.

Present situation sums up to this: If by next March 31, end of the quota year, insufficient pictures have been produced to meet exhibitors' quota requirements, it is likely that they will apply to the Board of Trade for a reduction in their quota percentage.

NCCJ CHAIRMANSHIP FOR RUBIN

Heads MP Division—Industry's Interfaith Amity
Example Praised by Conference Executive

Appointment of J. Robert Rubin, Loew vice-president and general counsel,

as chairman of the MP division of the National Conference of Christians and Jews was announced yesterday by Arthur H. Compton, national co-chairman of the National Conference.

The Loew exec. has been active in the Conference work of



J. ROBERT RUBIN

promoting good will among all religious and racial groups and has played a prominent part in the current Mobilization for National Unity Campaign of the Conference.

In announcing Rubin's designation, Compton declared that the film industry "within itself is a notable example of interfaith amity and co-operation successfully at work," and added:

"It is therefore in an especially favorable position to carry this message of friendliness and co-operation to the millions of Americans who make the great motion picture audience."

"At this time, when the industry is contributing so much to the ad-

(Continued on Page 9)

Suggest Arbitrators, Clerks in 13 Cities

Lists of prospective arbitrators and clerks in 13 cities have been submitted to the American Arbitration Association by J. Noble Braden,

(Continued on Page 9)

S-W to Drop Astor, Strand And Take Reading State?

Philadelphia — Rearrangement of the present theater situation in Reading, is looked for, following report

(Continued on Page 9)

Complete Industry Defense Committees

Special committees which are to function under the film industry's voluntary organization for national defense have been completed by the

(Continued on Page 12)

Dietz to be Toastmaster At NAA's "Flight" Banquet

Washington Bureau of THE FILM DAILY
Washington—Howard Dietz, M-G-M advertising and publicity head,

(Continued on Page 12)

Battle Portland's Games Ban Theaters Ask Writ to Block Interference

Lopez, Bradley and Kinney Bands to Make Soundies

Vincent Lopez, Will Bradley and Ray Kinney are the first bands to be signed by Cinemasters, Inc., to make Soundies for the Jimmy Roosevelt-

(Continued on Page 12)

Portland, Ore.—District Attorney James R. Bain and Sheriff Martin T. Pratt have been directed by Presiding Circuit Judge Louis P. Hewitt to appear Monday to show cause why they should not be enjoined from interfering with Quiz contests conducted weekly at the Playhouse,

(Continued on Page 9)

First Runs' Backlog of Pix Dwindling; Distribs. Standing Pat on Decree

Havana (By Air Mail)—All first-run houses in the Havana area are expected to be closed on or about Jan. 1 due to the acute product shortage that has resulted from the suspension of service by the U. S. distribution companies, a survey discloses. During the past week, no further move was made by the distributors, exhibitors or the Government to relieve the situation.

As an instance of the product shortage, the Encant Theater has only five more pictures available

(Continued on Page 4)

1c Ticket Tax Bill Looms in Nebraska

Lincoln, Neb.—What with Aescap's fate from a Nebraska legislative bill of 1937 to be tussled in U. S. Supreme Court, music "trusts," a favorite target of the Nebraska solons, are out this year. As time draws close for the convening of the unicameral, only two bills are in prospect and they're against movie houses.

One is a repeat attempt by Sen.

(Continued on Page 4)

Loew's Times Square Booth To be Recruiting Bureau

Loew's-Metro Times Square information booth, originally established as a World's Fair service last year, will be formally turned over

(Continued on Page 9)

Barger Group Plans Chicago Drive-In

Chicago—Chicago Drive-In Theater Co. has been organized here by A. S. Barger and associates, who have leased a 30-acre site in Morton Grove for the first Drive-In theater in the Chicago territory. Lease is for 10 years.

THE JIM DAILY

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JOHN W. ALICATE : : : : Publisher

DONALD M. MERSEAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Wednesday, Dec. 11)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	21 1/2	21 1/2	65 1/2	+ 3/8
Col. Pict. vts.	21 1/2	21 1/2	26	+ 1 1/2
Columbia Pict. pds.	26	25 1/2	26	+ 1 1/2
Con. Fm. Ind.	73 1/2	73 1/2	73 1/2	0
Con. Fm. Ind. pfd.	73 1/2	73 1/2	73 1/2	0
East. Kodak	137	136	136	0
do pfd.	137	136	136	0
Gen. Th. Eq.	117 1/2	117 1/2	113 1/2	+ 1/4
Inc. Inc.	108 1/2	108 1/2	108 1/2	+ 1/8
do pfd.	108 1/2	108 1/2	108 1/2	+ 1/8
Paramount	10 1/2	10	10 1/2	+ 3/8
Para. 1st pfd.	97 1/2	97 1/2	97 1/2	+ 1/4
Para. 2nd pfd.	10 1/2	10 1/2	10 1/2	+ 1/4
Pathe Film	10 1/2	10 1/2	10 1/2	+ 1/4
RKO	3	2 3/4	2 7/8	+ 1/4
RKO \$5 pfd.	40	39 1/2	40	+ 1 1/4
20th Century-Fox	6	5 1/2	6	+ 1/8
20th Century-Fox pfd.	17	16 1/2	17	+ 1/2
Univ. Pict. pfd.	112	109 1/2	110	+ 2
Warner Bros.	53 1/2	51 1/2	53 1/2	+ 1/8
do pfd.	53 1/2	51 1/2	53 1/2	+ 1/2

NEW YORK BOND MARKET

Keith B. F. ref. 6946	104 3/4	104 3/4	104 3/4
Loew's deb. 3 1/2 546	95 1/2	95 1/2	95 1/2
Para. B way 3455	95 1/2	95 1/2	95 1/2
Para. Pict. cv. 3 1/2 447	95 1/2	95 1/2	95 1/2
Warner Bros. db. 648 96 1/4	95 1/2	95 1/2	95 1/2

NEW YORK CURB MARKET

Monogram Pict.	1/2	7-16	7-16
Sonotone Corp.	9 1/2	9 1/2	9 1/2
Technicolor	9 1/2	9 1/2	9 1/2
Trans-Lux	6 1/4	6 1/4	6 1/4
Universal Corp. vtc.	14	14	14
Universal Pict.	14	14	14

Can't Show Mexican Colors in Defeat

Havana (By Air Mail) — Cuban Films Censorship Board cut scenes showing the Mexican flag flying over defeated forces from UA's "Kit Carson" following protests received after the picture had been released.

Sam Bianco Funeral Held

Clymer, Pa. — Sam Bianco, who owned and operated the State Theater here for many years, died after a brief illness. Funeral services were held yesterday.

Realistic Decree Attitude By Exhibs. Urged by Myers

Pittsburgh — Abram F. Myers, general counsel for Allied, made a flying visit here at the request of the AMPTO of Western Pennsylvania, Inc., to address a meeting on the consent decree and its effects on exhibitors. After Myers' explanation of the decree, there was an open discussion.

Myers was quoted as saying that although he did not favor the decree, exhibitors must take a realistic viewpoint of the situation, and go along in the matter, that it is here and must be made the best of by all concerned.

A buffet luncheon was served prior to the meeting, which was attended by 130 members of the AMPTO. President Fred A. Beedle presided.

Loew Names Richmond As Associate Executive

Boston — E. M. Loew yesterday announced the appointment of Louis W. Richmond as his associate general manager. Succeeding Richmond as sales manager will be Walter McGee, formerly an executive with the Winchester Amusement Co. at Flint, Mich.

Richmond has been 12 years with the E. M. Loew organization, the last six of which he has spent as sales manager.

Musicians' Committee Will Confer on Security Tax

Chicago — The Executive Committee of the American Federation of Musicians, meeting here yesterday with President James Petrillo presiding, appointed a committee to confer with Government officials on the security tax situation. In Chicago, employers have paid the taxes for bands, but travelling bands have created a situation that has not been straightened out to date.

Mackinnon Ill; May Affect Resignation of Grierson

Montreal — Illness of J. L. Mackinnon, Canadian Minister of Trade and Commerce, who is believed to be now in a hospital at Balboa or in some other city in Colombia, Central America, may affect the filed resignation of John Grierson, Commissioner of Canada's National Film Board.

"Dictator" B. A. Premiere Receipts to Aviation Group

Buenos Aires (By Cable) — Receipts from the world premiere of "The Great Dictator" at the Opera, Broadway and Normandie Theaters here have been offered by their operator to the Junta Nacional de Aviacion, Government-subsidized organization which aims to assure 5,000 Argentine airmen.

Metro Aims for Academy Consideration for "Story"

West Coast Bureau of THE JIM DAILY
Hollywood — Metro is making every effort to get a quick booking of "The Philadelphia Story" in the Los Angeles territory so that the film will qualify for consideration in this year's Academy awards.

With announcement yesterday by M-G-M of second weeks for "The Philadelphia Story" in Cincinnati and Milwaukee, the Katharine Hepburn-Cary Grant-James Stewart picture now boasts a 100 per cent hold-over record in six pre-release engagements throughout the country.

Decree Out, But Ascap Will Talk Terms if Gov't Asks

Possibility of Ascap accepting a consent decree settlement in the prolonged Government action which has apparently entered a final stage was definitely spiked yesterday when sources close to Ascap asserted that there will be no acquiescence by Ascap via a consent decree.

Attitude of the Society's advisors appeared to be that if the Government wishes to sit down with Ascap and reach an amicable solution patiently fair and equitable to both, that such discussions would undoubtedly be entered into by Ascap.

Joe Friedman Studying Production on Coast

West Coast Bureau of THE JIM DAILY
Hollywood — Joseph Friedman, Columbia's European supervisor, is currently studying production details at the company's studio here to acquaint himself with every phase and detail of actual film-making, with it, is said, the end in view of applying the most advanced techniques to European production as and when that market eventually opens.

London reports recently asserted that Friedman's presence at the studio may herald his active entry into U. S. production for Columbia, but this is discounted in view of the present solidarity of the company's staff, and Friedman's far greater value to the film field overseas.

Will Examine Warner Execs. In Folley Suit

Harry Decker, Edward Schnitzer and Roy Haines, Warner execs., are to submit to an examination before trial under a notice filed in the Federal Court yesterday by Folley Amusement Corp. Folley is suing the eight majors, Republic and Monogram for \$750,000, claiming that they conspired to deprive the Folley Theater, Brooklyn, of product in violation of the anti-trust laws.

Commonwealth Opens Melba

Batesville, Ark. — Commonwealth's new Melba Theater has opened with Bill Headstream managing.

COMING and GOING

GEORGE J. SCHAEFER, RKO proxy, is due to leave the Coast tomorrow for New York.

ANDY SMITH, RKO sales manager, returned yesterday from the Coast.

JEANETTE MacDonald, accompanied by her husband, GEN. RAYMOND, left yesterday for Detroit. After spending the holidays at the West Coast, Miss MacDonald will leave on a concert tour of the South soon after Christmas.

ERROL FLYNN arrived at the Coast yesterday, after his p.a. at a Cleveland Christmas charity dinner, just in time to join the "Santa Fe Trail" special train pulling out for the premiere of the film in Santa Fe.

PAUL SHORT, divisional manager of National Screen Service and newly elected chief barker of the Variety Club of Texas, Tent No. 17 is due in New York this morning for a week's stay.

LEONARD ELLIOTT, Broadway stage actor, has arrived in Hollywood for a role in Universal's "Buck Privates."

SAM H. HARRIS, theatrical producer, will return tomorrow from Palm Beach.

AL RUSSELL of 20th-Fox's foreign department, is in New Haven for a study of film exchange operation before sailing on Dec. 27 for Johannesburg, South African territory of the company.

CLARENCE BROWN, M-G-M director, is here from the Coast for a round of the Broadway plays.

JOHN R. OSBORNE, general manager of the Dipson Theatrical Enterprises, leaves Pittsburgh next week for his annual winter vacation in Miami.

CHARLES SHERMAN, new Universal writer, leaves New York for the Coast studios at the end of this week.

HERBERT J. YATES returns to New York today after three weeks at the Coast where he conferred on Republic product for the next season.

JOHN BEAL is here from the Coast in answer to a "phone call" from Philip Barry asking him to play a role in Barry's new play for the United Guild.

ERIC LINDEN has returned to the Coast after a road tour in the stage play, "Golden Boy."

PETER V. RATHVON and JOHN E. PARSONS, members of RKO's board of directors, leave the Coast tomorrow for New York after a 10-day visit at the company's studios.

ARTHUR W. KELLY has returned to New York from a trip to the field.

JOSEPH SEIDELMAN, "U" vice-proxy in charge of foreign sales, leaves tomorrow for the Coast for confab on next season's product.

BORIS KARLOFF has left the Coast for New York.

CLAUDETTE COLBERT and her husband, DR. JOEL PRESSMAN, have left the Coast to spend the holidays in San Valley.

GRANTLAND RICE and his wife have arrived in Hollywood to spend the winter.

NORMA SHEARER has left the Coast for New York.

MIKE LEVEE has arrived back at the Coast from a New York trip.

BORIS MORROS and ALEX MOSS leave Chicago today for trade showings of "Second Chorus" in Kansas City and other Western points.





REATEST attraction in the history of show business, "GONE WITH THE WIND" is now available for booking. As these lines are printed, other lines wait eagerly at the box-office of Loew's Grand Theatre, Atlanta, where the First Anniversary Premiere of this renowned production is being celebrated.



ITH fitting ceremony, with famed stars and festivities, "GONE WITH THE WIND" is being launched in Atlanta prior to its general release nationwide. The scene of its original, spectacular triumph again resounds to acclaim that echoes through the press of America to the far corners of the country.



HE magic name will soon be on your marquee. For the countless millions who have not yet seen this history-making entertainment—for the countless millions who wait to see it again—"GONE WITH THE WIND" comes in its entirety, exactly as road-shown. Full length! Nothing cut but the price!



HEN you book it, bear in mind that you are playing an attraction which has broken every existing box-office record for extended runs and for gross business in its road-show engagements; the picture that Gallup poll figures reveal 55 million Americans want to see. That includes *your* patrons.

Product Lack May Close Cuban Houses

(Continued from Page 1)

for future runs. Cuban premiere of the "The Great Dictator," previously advertised for the latter part of this month, has now been indefinitely cancelled.

The distributors are still standing pat on their request that the anti-block-booking decree be suspended, modified or revoked before they will resume servicing accounts, and a group of unions and indie exhibitors are equally as adamant that the bill be retained in its existing form.

It is expected that the exhibitor group backing a move for suspension or revocation of the law will continue its efforts toward this end.

RKO Gives Swank Party For Lucille Ball, Arnaz

Yesterday afternoon RKO Radio tendered a swank cocktail party, on the eve of their departure for Hollywood, for Mr. and Mrs. Desi Arnaz (the Mrs. being Lucille Ball, star player in a number of RKO productions). The affair was given in the Honeymoon Cottage Suite of Hampshire House, Central Park South, and drew a large crowd of filmites and others.

Among those present were: Thyra Samter Winslow, Ned E. Depinet, Mr. and Mrs. S. Barrett McCormick, Larry Reid, Pete Harrison, Alice Hughes, Paul Ash, Rutgers Neilson, John Farmer, Alice Thompson, Ken McCaleb, May Kelly, Elizabeth Lockwood, Jesse Dunster, Mr. and Mrs. Abel Green, Llewellyn Miller, William Hartley, Mr. and Mrs. Ed Zoty, Wade Nichols, Prunella Wood, Mr. and Mrs. Al Sindlinger, Elmer Roesser, Jesse Kay, Arthur Knorr, Rodney Butterworth, Pearl Finley, Susan Barden, Mr. and Mrs. William Bochnel, Mr. and Mrs. Homer Harmon, Arthur Levy and Evelyn Van Horn.

Hughes Resumes "Outlaw" Filming at Week's End

West Coast Bureau of THE FILM DAILY

Hollywood — A spokesman for Howard Hughes emphatically declared that "The Outlaw" would be continued in production and that shooting would resume at the end of this week. This will be done whether Howard Hawks continues as director or whether a new director is named.

Alliance Moves Offices

Chicago — Alliance Theater circuit has moved its headquarters to 230 S. Clark St., the Continental Bank building.

WEDDING BELLS

Mr. and Mrs. Morris Hadelman, operator of Shelton and Bridgeport, Conn., houses, announce the engagement of their daughter, Dorothy to Edward Arthur Aaron of Hamden, Conn. The couple will be married in the Spring.



● ● ● COASTING:.....George Pal has christened his puppetoon leading man (a composite of Gable-Cooper-Milland) "Jim Dandy"..... and'll debut him later this month in "Western Daze".....which is Pal's first American puppetoon release for Paramount, based on a short story by Vic McLeod and Norm Blackburn.....Dave Rankin, former Chaplin musical director, composed the original music. . . ● That title change of E. H. Griffith's next production for Paramount.....from "There's Always Juliet" to "One Night in Lisbon"..... was actually suggested by the producer-director as long as six months ago. . . ● Norman Taurag's use of some 400 moppets in Metro's "Men of Boys' Town".....appears to confirm the belief that youngsters of the present era.....are no different from those of the yesteryears.....and their pranks haven't changed one iota.....D'ya recall that Mister Taurag used a like number of moppets about 10 years ago in "Skippy"?.....

● ● ● STILL COASTING:.....Republic will probably be the first to hit the contemporary screen.....with a comedy based on the inscription angle.....inasmuch as it has been working on an original.....authored by F. McGrew Willis and Albert J. Cohen.....titled "Rookies Roost". . . ● With a sure sense of the timely.....James A. FitzPatrick is preparing "Mediterranean Ports of Call" as his next TravelTalk for M-G-M..... The Technicolor one-reeler will include scenes of Algiers and Monte Carlo. . . ● George W. Weeks, producer of the "Range Busters" series for Monogram, has set next Monday.....as starting date for the next adventure of Ray Corrigan, Max Terhune and John King.....Oliver Drake's original story, "Gun Smoke Valley," will provide the vehicle.....S. Roy Luby will direct.

● ● ● BACK EAST:.....Pa Knickerbocker's Grand Central Terminal.....was decidedly agog yesterday afternoon.....when Abe Lyman and his musical men piped send-off compositions.....for the news-hawks and other celebs, departing our town for the three-day world premiere of Warner's "Santa Fe Trail" in New Mexico..... Abe and his boys go into the Strand as the stage attraction on Dec. 20.....the date the Errol Flynn starrer comes to the house's screen.....Another highlight of the G.C.T. send-off yesterday.....was the appearance of a trio of Shinnecock Indians from their Long Island reservation.....who placed in the good care of Mort Blumenstock.....a fancy feather head-dress which the latter will present to the Santa Fe tribes.....as a token of friendship and esteem.....

● ● ● STILL EAST:.....Eddie McBride, publicity powerhouse of Loew's State movie house up Providence way, gave Metro's "Philadelphia Story".....a helluva swell campaign..... one of whose many outstanding biz builders.....was a telephone call stunt.....which functioned on the gen. prin. of the now dormant chain-letter system.....There were 10 chairmen designated by the terms of Eddie's strategy.....Each phoned two women.....Each of the latter phoned two more, etc.....until just about everybody in the town was hearing and thinking "The Philadelphia Story".....The news got around so fast..... that folks in the R. I. area now call the McBride stunt.....The Act of Providence!.....

● ● ● STUFF:.....Next Sunday's American Weekly carries in it we're told, a big feature yarn by movies' make-up expert, Dr. Rudolph G. Liszt, titled "Don't Like Your Face? Change It".....Grand break that full page which Al (UA) Margolies placed in the Journal-American on "The Son of Monte Cristo".....Emerson Yorke, independent shorts producer, has moved his studio headquarters from 245 West 55th St. to 130 West 46th St.....

1c Ticket Tax Bill Looms in Nebraska

(Continued from Page 1)

E. M. Neubauer, who had a couple of bills in the last session. They died, but he's already promising a new venture for 1941. He wants to charge a penny tax on every ticket sold in Nebraska theaters, regardless of the cost of the ticket.

The other bill is likely to be Bob Livingston's pet, the clearance bill. Livingston, Capitol exhib., wants a rule laid down that films will have to be played within 45 days after general release date, and if unplayed in that length of time, will have to be paid for, and will be immediately open to subsequent-run bookings.

War Damage Insurance Measure in Commons

London (By Cable) — With more than 300 theaters damaged by Nazi air raids in the U. K., the film industry is keenly interested in the Government's insurance scheme against war damage which was introduced in the House of Commons yesterday. Insurance covers all war damage for the first two years of the war until next Aug. 31. Premiums are payable starting July 1, 1941.

Premium on buildings will be two shillings (about 40 cents) annually on the pound (about \$4) on a net schedule of income tax (or nettable value) payable for five years. Value of buildings to be insured is estimated at \$32,000,000.

Film Folk on Ascap's Maryland Broadcast

Frederick, Md.—A number of filmites appeared on the two-hour broadcast put on here over WFMD featuring 18 composers and commemorating their signing of a five-year contract with Ascap. Show was staged by R. H. Burnside, noted Broadway stage producer, and featured Oscar Hammerstein II, Joe E. Howard, Dr. Sigmund Spaeth, Nick Kenny and Isham Jones.

Mayor Lloyd C. Culler of Frederick proclaimed the day as Ascap Musical Festival. Gov. Herbert R. O'Connor of Maryland headed a list of many notables who attended the banquet. Affair drew an attendance of 150.

£300,000 in "Major Barbara"

London (By Air Mail)—Total production cost of Gabriel Pascal's "Major Barbara" is now estimated at £300,000.

STORKS!

Washington Bureau of THE FILM DAILY
Washington—Brook Whitlock, assistant manager of Loew's Capitol, is the father of a 7-pound, 9-ounce son.

\$15,000 IN CASH PRIZES

**TO 369 THEATRE MEN
WHO PUT ON
THE BEST CAMPAIGNS
FOR A SHOW
WORTH ALL
THE EFFORT!**

A Thousand Laughs Who Loved



YOUR CHANCE TO CASH in two ways on a big promotion idea for a big show! . . . Go after one of these 369 CASH PRIZES, in the great showmanship contest on publicity, advertising and exploitation campaigns that tie in "Little Men" and "Elsie," the most famous cow in the world... the cow whose tons of publicity make her a real Hollywood "personality" . . . the bovine now being featured in big national magazine, newspaper and billboard campaigns . . . the contact that will put you in touch with your share of 525,000 retail dealers ready to co-operate. Learn all about it in the special press sheet; about the stills, stunts and tie-ups without end. Get started early and win one of those top cash prizes!

Contest begins November 1, 1940, and continues to, and including, April 15, 1941. The contest applies to all "Little Men" engagements opening within this period. All entries must be postmarked or sent not later than midnight, April 25, 1941. In the event of ties, duplicate prizes will be awarded. Full details available without cost at any RKO Exchange.

Here's the \$15,000.00 as Cash Prizes

IN CITIES OF 100,000 OR OVER FIRST RUN THEATRES

1st Prize	\$500.00
2nd Prize	250.00
3rd Prize	100.00

Ten of \$50.00 each

SUBSEQUENT RUN THEATRES

1st Prize	\$250.00
2nd Prize	100.00

Ten of \$50.00 each
Fifty of \$25.00 each

IN CITIES OF 25,000 50 100,000 FIRST RUN THEATRES

1st Prize	\$500.00
2nd Prize	250.00
3rd Prize	100.00

Five of \$50.00 each
Ten of \$25.00 each

SUBSEQUENT RUN THEATRES

1st Prize	\$250.00
2nd Prize	100.00
3rd Prize	50.00

Seventy-five of \$25.00 each

IN CITIES UNDER 25,000 ALL THEATRES

1st Prize	\$500.00
2nd Prize	250.00
3rd Prize	100.00

Ten at \$50.00 each
150 at \$25.00 each

IN CANADA (ALL CITIES) FIRST RUN THEATRES

1st Prize	\$250.00
2nd Prize	100.00

Two of \$50.00 each
Three of \$25.00 each

SUBSEQUENT RUN THEATRES

1st Prize	\$200.00
2nd Prize	100.00

Two of \$50.00 each
Twelve of \$25.00 each

RKO NATIONAL CIRCUIT

1st Prize	\$400.00
2nd Prize	200.00
3rd Prize	100.00

Two of \$50.00 each

RKO METROPOLITAN N.Y. CIRCUIT

1st Prize	\$300.00
2nd Prize	200.00
3rd Prize	100.00

Four of \$50.00 each



and Heart Throbs For All Little Women"

Streamlined to the screen from one of the most popular novels ever written . . . with two lovable rogues added to the most laughed- and cried-over group of folks ever caught between the covers of a book . . . All as a million hearts have pictured them, all as millions more will love them . . . in a drama - suspense - excitement show with a box-office call in every one of its dozens of crowd-pleasing angles.

GENE TOWNE presents

Louisa May Alcott's

Little Men

with

KAY FRANCIS • JACK OAKIE • GEORGE BANCROFT

R K O
RADIO
PICTURES

JIMMY LYDON • ANN GILLIS • CHARLES ESMOND and

"ELSIE"
(THE COW)

Directed by NORMAN Z. McLEOD
Produced by GENE TOWNE and GRAHAM BAKER
Screen play by Mark Kelly and Arthur Caesar

PLAYS
THING
Production

"ELSIE" THE FAMOUS COW



**"A GIRL, A GUY AND A GOB," HAROLD LLOYD'S
RKO PRODUCTION, NOW CUTTING...**

Soon to be previewed preparatory to early release, is Harold Lloyd's production for RKO Radio, "A Girl, a Guy and a Gob," a riotous comedy-romance-drama featuring such players as George Murphy, Lucille Ball and Edmond O'Brien. The Hollywood tipoff is that the show has everything it takes for sensational popular entertainment—fast plot, uproarious situations and wise-cracking dialogue, with every scene touched with the movie magic of its producer, and its director, Richard Wallace.

To Battle Portland's Theater Games Ban

(Continued from Page 1)

Oriental and Hollywood theaters in Portland.

The order was issued after the Rainier Theaters Corp., operator of the theaters, had filed an injunction suit against the two officials who, it is alleged, have threatened to stop the contests on the ground that they are lotteries.

It is understood that attorneys for major radio stations here are keeping in close touch with developments. Their interest centers in whether certain Quiz air programs may be affected and, if so, whether it would be advisable for the radio industry to join in the attack on the ban.

In its complaint the theater corporation, a Hamrick-Evergreen circuit subsidiary, asks a permanent injunction restraining Bain and Pratt from arresting the operators and employees of the two theaters and from interfering with the contests.

The complaint contends that the Quiz contests are not a lottery, since the awards are obtained through skill, knowledge and ability, and the contests are conducted primarily to advertise the theaters and stimulate patronage.

Contests are operated by calling the contestants at random from the audience or by having their numbers drawn from a container. If they answer correctly they receive awards ranging from \$1 to \$8.

In addition, the theaters conduct a Quiz contest in which the awards range from \$50 to \$300. One number is called and if the holder is present he has the opportunity of winning the award by answering a certain question. If the contestant fails to answer the question correctly or if the holder of the number drawn is not present, the contest is continued the following week.

Jelly Roll to Form Music Co.

West Coast Bureau of THE FILM DAILY
Hollywood—Harry Engels, Coast executive of Broadcast Music, Inc., has made a deal for the output of a publishing firm to be organized here by Jelly Roll Morton and Benjamin Spike will handle the work of Negro composers.

Horse Tripping Ends In Movie Production

West Coast Bwr., THE FILM DAILY
Hollywood—Campaign waged against alleged cruelty to horses in film making has resulted in AMPP action to discontinue the use of the running-W, wire device used to trip mounts, it is announced by the American Humane Association. Spearhead of the campaign recently has been William Randolph Hearst, through the medium of his newspaper column.

"Picketing With Pianos" Talked by Caesar As SWPA Plans January Membership Drive

Starting Jan. 1, the Song Writers' Protective Association will extend its membership drive, it was announced yesterday. SWPA is lined up with Ascap in the present radio dispute.

Asked whether in the carrying out of this organizational work there might be picketing, etc., Irving Caesar, president of the SWPA, replied, "Why not? Not mere picketing, but picketing with pianos. We have made plans to put 100 pianos and song writing teams on trucks on the streets of New York; 50 in Chicago, 25 in Philadelphia, 10 in Washington, 50 in Hollywood, 15 in Boston, 15 in Detroit, and in other cities."

Loew's Times Square Booth To Be Recruiting Bureau

(Continued from Page 1)

to the U. S. Army to be used as a recruiting bureau next Wednesday, it was disclosed yesterday.

Presentation services, expected to draw high Army officers, city officials and Loew and Metro execs, are set for 1 p.m. The acceptance will be by Col. E. B. Pierson, U. S. A., officer in charge of recruiting for the Southern N. Y. District.

Lt. General Hugh A. Drum, Commanding General 1st Army, and Brig. General T. J. Phillipson, Commanding General Second Corps Area, will be represented. Others expected to attend include Borough President Stanley Isaacs, Howard Dietz, M-G-M executive in charge of promotion; Col. John Reed Kilpatrick and James W. Danahy of the West Side Association and L. L. Strauss and H. Frederick Bright of the Broadway Association.

Maj. Ray Perkins will introduce the speakers. Station WHN will broadcast the program. The 16th Infantry Band will play.

There will be an Army man on duty at the booth, in addition to a rep. of Metro, who will continue to answer questions on points of information. Visitor's Book will also be maintained. Attendants will be on duty from 10 A.M. to 9 P.M. weekdays and 12 noon to 8:30 P.M. Sundays.

J. Robert Rubin Named To NCCJ Chairmanship

(Continued from Page 1)

vancement of national unity, the National Conference is proud to call on it to contribute toward a deep and lasting amity among our citizens by helping us to advance our aims of justice, amity, understanding and co-operation among Protestants, Catholics and Jews."

Four More Army Theaters To Be Built by War Dept.

Washington Bureau of THE FILM DAILY
Washington—The War Department has announced plans for the construction of theaters in four posts scattered throughout the country. The theaters will be located at Boise, Ida.; Charlotte, N. C.; Bangor, Me.; and Tucson, Ariz., posts. The War Department expects to have at least one theater at each post in the country.

Triple London Premiere For "Dictator" Monday

(Continued from Page 1)

Artists' foreign department, who said that the Charles Chaplin picture had been guaranteed a minimum run of 10 weeks. Picture will play at the Prince of Wales, Gaiety Haymarket and the Marble Arch Pavilion.

Because the British Government believes "The Great Dictator" will have a tonic effect on the morale of the people, Gould said arrangements had been made for the general release throughout Great Britain (outside of London) on Jan. 6. General release in the London territory starts Feb. 24.

The trade and press saw the picture in London yesterday. Prime Minister Winston Churchill and other Government officials saw it at a private screening last week.

S-W to Drop Astor, Strand And Take Reading State?

(Continued from Page 1)

that bids are being taken for the renovation of the State, Wilmer & Vincent house. Report has it that the State will be taken by Stanley Warner, who will not renew the lease which expires in April on the Astor and Strand, the latter a nab.

In addition, it is said that Wilmer & Vincent will reconstruct the old Arcadia, which has been closed, and will reopen it for shows now playing the State.

Possession of the Astor and Strand would revert to J. V. Schreck, an old timer in the business, who leased the house to Stanley-Warner many years ago, and would mean another first-run for the town. What product it would play, however, is unknown.

"Junior Quiz Parade" Shorts for Columbia

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia will add a new series of shorts, Junior Quiz Parade, to its current lineup. First of series will go into production shortly. Cast and director are yet to be set.

Radio has two juvenile quiz shows, the Quiz Kids, NBC show out of Chicago on Wednesday, and a recent WHN local program.

Suggest Arbitrators, Clerks in 13 Cities

(Continued from Page 1)

executive secretary, who is on a nation-wide tour in the interests of the industry's arbitration system.

Names of the clerks are being submitted in first, second and third choice order and will be passed on by the Administrative Committee. The Arbitration Committee will pass on the proposed arbitrators.

Braden yesterday was in Indianapolis and will visit Cincinnati, Pittsburgh and Cleveland before returning to New York late this week. Next Tuesday he will leave for Chicago, Milwaukee and Minneapolis. After Christmas he will leave for the South to select more personnel for the boards. So far, he is on schedule and everything points to the actual operation of the boards on Feb. 1.

75 Chi. Area Exhibs. See "Chorus" Trade Show

Chicago—More than 75 exhibitors attended the trade show of "Second Chorus," a Paramount release, which the producer, Boris Morros, and Alex Moss of Paramount put on here yesterday. John Balaban, Walter Immerman, Jack Kirsch and other exhibitors were reported enthusiastic over the entertainment value of the picture.

Morros and Moss leave here today for Kansas City and other Western key cities where further trade showings will be held.

Republic Dedicates New Stage to Mabel Normand

West Coast Bureau of THE FILM DAILY

Hollywood—Republic will dedicate its new stage which will be the first completed under its \$1,000,000 building plan, to Mabel Normand. Cost of the stage is \$250,000 and since Mabel Normand is an old Mack Sennett star and once made "Sis Hopkins," which will be made with Judy Canova, Republic thought the name for stage very appropriate.

Ambassador to Melcher

Chicago—Ambassador Theater has been leased by the Melcher circuit.

To Vote on Duals In Parkchester

In connection with the opening of Loew's American Theater in Parkchester on Dec. 26, residents of the area will be asked to vote on the question of single or double features. Polls will be open all day in three stationery stores. The 25,000 persons living in the Parkchester development also will be asked to vote on "If you prefer double features, at what time of night do you want to see the main feature?"

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Trail Of The Vigilantes"

with Franchot Tone, Broderick Crawford, Peggy Moran, Andy Devine, Mischa Auer
Universal 75 Mins.

ENTERTAINING WESTERN IS FIRST-RATE SCREENFARE FOR ANY TYPE OF AUDIENCE.

Taking the bull by the horns, so to speak, Universal has turned out a Western that pokes fun at itself, still contains lots of action, but maintains its slightly satirical comedy theme with highly entertaining results. Any audience should be thoroughly entertained by the picture, and it deserves special attention by exhibitors and first-run treatment on its merits. Picture should be a surprise package at the box office.

A first-rate cast includes Franchot Tone, Broderick Crawford, Peggy Moran, Andy Devine, Mischa Auer, Warren William, Porter Hall and Charles Trowbridge. Tone, cast as an investigator who goes West to track down the murderer of a newspaper man, fills the bill nicely. Miss Moran is pretty to look at and is personable and able. Andy Devine and Mischa Auer will get lots of laughs. Warren William attends to the villainy in slack fashion, Crawford is fine as a rough-tough cowhand, and others in the cast are equally as well placed in their roles.

Director Allan Dwan handles the players expertly, gets every laugh there is to be had from the script and puts plenty of punch into the action. Harold Shumate's original screenplay is different, smartly worked out and well paced.

Tone arrives in Peaceful Valley in the middle of a roaring gun fight, with Crawford and his pal Devine wrecking furniture in a saloon, tying up sheriffs and making the welkin ring. Tone gets a job with their outfit and the rancher's daughter, Miss Moran, falls for him in a big way. There is lots of action, lots of fun and lots of entertainment from there to the finish, in fact from start to finish. Tone gets the girl and also gets the villain.

CAST: Franchot Tone, Broderick Crawford, Peggy Moran, Andy Devine, Warren William, Mischa Auer, Porter Hall, Samuel S. Hinds, Charles Trowbridge, Paul Felix, Harry Cording, Max Wagner.

CREDITS: Produced by Universal; Director, Allan Dwan; Original Screenplay, Harold Shumate; Cameramen, Joseph Valentine and Milton Krasner; Editor, Edward Curtiss.

DIRECTION, Smart. PHOTOGRAPHY, Good.

Morros Negotiating with Astaire

Hollywood—Boris Morros is negotiating with Fred Astaire to star in "Hayfoot, Strawfoot," a film on conception by Don Raye and Hugh Prince. Paramount will release it. Dorothy Lamour may appear in "Caught in the Draft" opposite Bob Hope for Para.

RKO to Start "Show Business"

Hollywood—"Show Business," which goes before the cameras at the RKO studios on Monday, has acquired Elyze Knox for the feminine lead, also Chester Clute and Mantan Moreland. Irving Reis will direct.

"Misbehaving Husbands"

with Harry Langdon, Betty Blythe, Ralph Byrd
PRC-Jed Buell 65 Mins.

(HOLLYWOOD PREVIEW)

AUDIENCE COMEDY WITH ENOUGH ENTERTAINMENT VALUE TO SATISFY.

"Misbehaving Husbands," Jed Buell's first production for Producers Releasing Corp., sets an interesting pace for his new association. It's a feature with enough entertainment value to more than satisfy any audience. Harry Langdon, given plenty of leeway, and veteran director Bill Beaudine have concentrated more on sure fire laugh situations than on a startling plot, and a district preview house rewarded them with practically solid laughter. It is completely an audience comedy and will do best when booked for nights when a heavy house is likely. It is excellent counter material for any dramatic feature. Production values, never elaborate, are adequate, and the large number of old time favorites in the cast offers opportunity for exploitation plants on the drama pages. Vernon Smith and Claire Parrish have fashioned a swell screenplay, based on an original by Cea Sabin.

Harry Langdon, department store owner, works late on the night of his twentieth wedding anniversary, making a surprise dinner planned by his wife, Betty Blythe. He is seen taking a wax window model to be repaired, and picked up by the police, who suspect a murder. He arrives home with a slipper. Esther Muir, Betty's friend, talks her into planning a divorce, with Esther's lawyer, Gayne Whitman.

Since neither will leave the house, Whitman installs Luana Walters, a niece, and Frank Hagney, bodyguard, to protect Betty. Langdon's attorneys put in Ralph Byrd. Byrd and Luana nearly effect a reconciliation, but Whitman brings in his girl friend, Florence Wright, to impersonate the girl who lost her slipper. Byrd and Luana trip Florence into exposing Whitman's game, and his past record. Langdon wheels the dummy home on roller skates, flies the slipper on it and the pair are reconciled.

CAST: Harry Langdon, Betty Blythe, Ralph Byrd, Esther Muir, Gayne Whitman, Florence Wright, Luana Walters, Frank Jacquet, Charlotte Treadway, Byron Barr, Frank Hagney, Hennie Brown, Billy Mitchell, Mary McLaren, Gertrude Astor.

CREDITS: Producer, Jed Buell; Director, William Beaudine; Author, Cea Sabin; Screenplay, Vernon Smith and Claire Parrish; Cameraman, Art Reed; Editor, Robert Crandall; Art director, George Van Marter.

DIRECTION, Okay. PHOTOGRAPHY, Good.

Next Two "U" Directors

West Coast Bureau of THE FILM DAILY
Hollywood—Henry Koster's next film for Universal will be "Almost An Angel." Ladislaus Fedor and Norman Krasna are writing the scenario. William Seiter will probably direct Deanna Durbin's next picture, following "Nice People" which he is now directing. Her new picture will be "Ready for Romance" in which she will be co-starred with Charles Boyer.

"It's In The Air"

with George Formby, Polly Ward, Garry Marsh
B. S. B. Corp. 74 Mins.

BRITISH-MADE FARCE CONCERNING THE RAF HAS PLENTY OF LAUGHS.

A typical sample of British humor as personified and presented by George Formby, Britain's leading comedian, in this release. It should get plenty of laughs from audiences here. Done in a tongue-in-cheek slapstick vein, the humor is not forced, but is completely natural as Formby bumbles from one jam to another. His supporting cast is adequate and the picture moves along at a smooth clip.

Formby is supported by Polly Ward, Garry Marsh, Julien Mitchell, Jack Hobbs and other capable players. Anthony Kimmins, who directed and wrote the original screenplay, handles the material and players nicely. The picture is moderately amusing throughout, with several particularly hilarious sequences climaxed by a sequence that should get very heavy laughs from any audience.

Formby helps out one of his friends, Frank Leighton, by putting on his uniform and riding to headquarters with the dispatch rider's messages. He winds up at the proper airbase, but just as he is about to leave he runs afoul of Mitchell, a sergeant major, who informs him that he, as Leighton, has been assigned to a week's training with the RAF unit. The commanding officer has an attractive daughter, Miss Ward, and Formby discovers that there is plenty of competition in this direction. Formby finally takes it in a test plane and in his complete ignorance about flying gives such an amazing exhibition that he is cited for promotion.

CAST: George Formby, Polly Ward, Garry Marsh, Julien Mitchell, Jack Hobbs, Frank Leighton, C. Denier Warren, Michael Shepley, Hal Gordon, Joe Cunningham, Jack Melford.

CREDITS: Producer, Basil Dean; Direction and original screenplay, Anthony Kimmins; Music and Lyrics, George Formby, Harry Gifford, Fred E. Cliffe and Harry Parr Davis.

DIRECTION, Good. PHOTOGRAPHY, O. K.

Linda Darnell Gets Lead

West Coast Bureau of THE FILM DAILY
Hollywood—Twentieth Century-Fox has assigned Linda Darnell to the feminine lead in "Blood and Sand" opposite Tyrone Power. Studio has assigned Ray McCarey to direct "The Cowboy and the Blonde" with George Montgomery and Cobina Wright, Jr.

"Trilby" a WB British Remake

London (By Air Mail)—Following "Transatlantic Ferry" which goes soon into work at Warners' Teddington studios, the company will do a remake of George du Maurier's "Trilby."

Metro to Remake "Mary Dugan"

West Coast Bureau of THE FILM DAILY
Hollywood—Metro will star Laine Day in a remake of Bayard Veiller's old thriller, "The Trial of Mary Dugan."

"Pony Post"

with Johnny Mack Brown, Fuzzy Knight, Nell O'Day
Universal 59 Mins.

DULL WESTERN FAILS TO BE INTERESTING DUE TO HACKNEYED STORY.

Lacking any originality or new twists, a hackneyed story makes this new Universal western a dull affair. There is plenty of riding, quite a few blanks are discharged and Johnny Mack Brown tangles with the villains in the standard action scenes, but it lacks any spark of earnestness. A few laughs are contributed by Fuzzy Knight and the usual musical routine is worked in. Probably the Brown fans will get a measure of entertainment from the picture, but for the dyed-in-the-wool action fans it will be pretty tame.

Brown has Fuzzy Knight, Nell O'Day, Dorothy Short, Tom Chatterton, Stanley Blystone, Jack Rockwell and Ray Teal, latter three the villains of the piece, in his supporting cast. Ray Taylor directed from an original screenplay by Sherman Lowe.

Brown rescues a pony express rider from Indians and is talked into taking the job of manager of the Ruby Valley posts in place of Blystone, who has caused the company too much grief. Blystone conspires against Brown, but Brown cleans things up in approved style.

CAST: Johnny Mack Brown, Fuzzy Knight, Nell O'Day, Dorothy Short, Tom Chatterton, Stanley Blystone, Jack Rockwell, Ray Teal, Kermit Maynard.

CREDITS: Produced by Universal; Director, Ray Taylor; Original screenplay, Sherman Lowe; Editor, Paul Landres.

DIRECTION, Adequate. PHOTOGRAPHY, O. K.

Coast's 17-Car Special Off for "Santa Fe" Bow

West Coast Bureau of THE FILM DAILY
Hollywood—Headed by Charles Einfeld, Warners' director of advertising and publicity, over 150 stars, newspaper and trade paper editors, feature and magazine writers and other Hollywood celebrities leave here today on a 17-car special train headed for the three-day jubilee and world premiere of "Santa Fe Trail" at Santa Fe, N. M., tomorrow, Saturday and Sunday.

The West Coast, "Santa Fe Special" will arrive in Lamy, N. M., early tomorrow afternoon where it will join the Eastern delegation which left New York yesterday and will then proceed as one unit to Santa Fe.

Errol Flynn and Olivia de Havilland, stars of the feature, head the array of Hollywood talent which includes: John Barrymore, Olympic Bradna, Jeanne Carroll, Donald Crisp, Alice Faye, Virginia Field, Reginald Gardiner, Rita Hayworth, Mary Healy, Irene Hervey, Allan Jones, Arline Judge, Priscilla Lane, William Lundigan, Jean Parker, Walter Pidgeon, Roger Pryor, Ronald Reagan, Gilbert Roland, Charlie Ruggles, Ann Southern, Rudy Vallee and Johnnie Weissmuller.

From the Warner Burbank studio, in addition to Einfeld, are: Robert Tapinger, West Coast publicity director, Mr. and Mrs. Joseph Hazen of the home office who were visiting the studio, Sam Clark, Lou Espinosa, Irving Fein, William Guthrie, Carlisle Jones, Ed Manson, Blayne Matthews, Scotty Welbourne and Kenneth Whitmore.

REVIEWS OF NEW FILMS ☆ ☆ BOOK REVIEWS ☆ ☆

"Baby Sandy Gets Her Man"

with Baby Sandy, Una Merkel, Stuart Erwin
Universal 66 Mins.

GOOD CAST OF COMICS FAILS TO PUT PICTURE OVER DUE TO WEAK STORY MATERIAL.

Using Baby Sandy as the basis of a tug-of-war between a cop and a fireman for her mother's hand and her father's hoped for award to the department, Universal lined up an imposing cast of comics for the picture, but the picture suffers from weak story material. However, pix has some good laughs and a lot of comedians whose appearance alone will put audiences in a good humor.

Baby Sandy has Una Merkel for her mother, Stuart Erwin, a fireman and Jack Carson, a cop, as the rivals for Miss Merkel's hand, and Edgar Kennedy, William Frawley, Edward Brophy and Wally Vernon in the supporting cast. Otis Garrett and Paul Gerard share credit for the direction, and the screenplay was written by Sy Bartlett and Jane Storm.

Erwin and Carson are rivals for Miss Merkel's hand because her father, William Davidson, a city councilman, is in a position to award a large sum of money to the departments for new equipment. Erwin is really in love with Miss Merkel, but she decides that Baby Sandy will have to make the choice. Kennedy, the fire chief, and Frawley, the police chief, support the courtship of their candidates. A lot of hokum transpires and Baby Sandy gets mixed up in a burning building for a big rescue scene climax, with Stuart playing the hero's role, getting the girl and reinstatement in the department.

CAST: Baby Sandy, Stuart Erwin, Una Merkel, Edgar Kennedy, William Frawley, Edward Brophy, Wally Vernon, Jack Carson, William Davidson, John Sheehan Isabel Randolph.

CREDITS: Associate producer, Burt Kelly; Directors, Otis Garrett and Paul Gerard; Story, Original screenplay, Sy Bartlett and Jane Storm; Cameraman, Elwood Brodell.

DIRECTION, Okay. PHOTOGRAPHY, Good.

20c Per Seat License Fee

Livingston, N. J.—The township attorney has been instructed to draw an ordinance fixing movie theater fees at 20 cents a seat per year, and to specify 1 p.m. as Sunday opening hour. Township recently approved Sunday movie question after theater chain had given assurance a theater, the township's first, would then be built. Tentative plans call for a \$52,000 building, containing 600 seats. The license fee would total \$120.

Leverette Held Up, Kidnaped

Medford, Ore.—Walter H. Leverette, Southern Oregon and Northern California circuit operator, and party were held up as they were leaving Leverette's new home on the Pacific Highway. The bandit kidnaped Leverette, forced him to drive his own car about two miles west of Jacksonville.

"Nobody's Children"

with Edith Fellows, Billy Lee, Lois Wilson, Walter White Jr.
Columbia 65 Mins.

DRAMATIC YARN ABOUT ORPHANS IS OVERLY SENTIMENTAL BUT WELL ACTED; GOOD FOR FAMILY AUDIENCES.

A tear-jerker of the first water, this release will probably appeal to the average family audience as it is well acted and the story is intelligently put together. However, for larger, sophisticated spots, the picture suffers from an overdose of sentimentality.

Edith Fellows and Billy Lee are an able pair of juveniles, and they do justice to their parts. In addition, a good supporting cast has been provided, including Lois Wilson, Walter White Jr., Georgia Caine, Ben Taggart and Mary Currier. The picture is based on a radio program originated by White to place orphans in good homes. Doris Malloy wrote the screenplay and Charles Barton directed.

Miss Fellows, a cripple, and her brother, Billy Lee, are in a home for orphans. White suggests to the directors of the orphanage that the children be placed on the air to sell themselves, but Billy won't allow himself to be adopted because his crippled sister hasn't been. Finally, Edith, who has passed the orphanage age limit and must go to a state home for cripples persuades him to let himself be adopted, and is adopted herself by Taggart and Miss Currier. Much travail follows, but everybody is happy when the picture ends as Edith recovers and Billy is adopted by the same family.

CAST: Edith Fellows, Billy Lee, Georgia Caine, Lois Wilson, Walter White Jr., Ben Taggart, Mary Currier, Mary Gordon, Lillian Ward. William Gould.

CREDITS: Produced by Columbia; Director, Charles Barton; Screenplay, Doris Malloy; Adapted from a radio show by Walter White Jr.; Cameraman, Benjamin Kline; Editor, Richard Fantl.

DIRECTION, Good. PHOTOGRAPHY, Good.

GWTW Anniversary Show Tonight in Atlanta

Atlanta—Exactly one year after the roadshow premiere of "Gone With the Wind" at Loew's Grand, the picture returns tonight for its anniversary premiere at approximately one-half the original admission prices but without any cuts to reduce the running time of three hours and 45 minutes.

Tonight's audience will comprise the first of 50,000,000 persons expected to see the picture in its general release. About 25,000,000 already have seen it. Proceeds of tonight's premiere will go to the Atlanta Committee of the British War Relief Society.

Vivien Leigh, Laurence Olivier and Director Alfred Hitchcock head the Hollywood delegation here to participate in the festivities. Clark Howell, publisher of the Atlanta Constitution, will be emcee.

D. W. GRIFFITH. *American Film Master*. By Iris Barry. Published by the Museum of Modern Art, New York. 40 large pages. Price \$1.

It was almost inevitable that the Museum of Modern Art should start its series of large-page books on prominent figures in the motion picture art or industry—as you prefer—with a monograph on David Wark Griffith, for he still remains the outstanding figure in the development of the movies from a five-cent time-killer to the \$2 "road-show" which has superseded the "living stage" in providing entertainment for the mass public. The volume is profusely illustrated with photographs of sets and scenes from the Griffith productions and "stills" of the actors whom he developed—often "created."

Miss Barry's essay is a mingled biographical and historical account of the great director and the emergence of the motion picture into a complicated emotion-arousing art form. The biographical treatment presents Griffith in a very human, sympathetic light while the historical treatment stresses his influence upon film technique, most of the developments of which were originated by him. Many of the technical improvements were seized upon by Russian and German directors and came back to this country as innovations, but Miss Barry demonstrates that they were originated by Griffith and the expert cameraman so often associated with him, "Billy" Bitzer.

Comment on Griffith's major productions—"The Birth of a Nation," "Intolerance," "Broken Blossoms," "Orphans of the Storm"—while critical never loses sight of his originality, sympathy with new ideas, projection of very human characters from his first directorial efforts, particularly with those films dealing with modern life.

The volume is a handy reference guide for all those interested in the technical development of the movies and in the principal events in the life of a master innovator in a new and still developing art form.

L. H. M.

Grasgrin, Moon on Stand In Midwest-Co-op Trial

Detroit—At yesterday's session of trial of the Midwest versus Co-operative Theaters suit, Al Grasgrin, manager of Flatroch theater at Flat Rock, testified his house was forced to play 60 days after nearby Monroe theaters instead of seven days which would be agreeable to Monroe management. Reason given is that Co-operative insisted Flatroch be classed in the Trenton zone, where it has a house, rather than Monroe.

Raymond E. Moon, manager of Mutual theaters, and former manager of Co-operative, then took the

DOUGLAS FAIRBANKS. *The Making of a Screen Character*. By Alistair Cooke. Published by The Museum of Modern Art, New York. 40 pages, 40 plates. Bound in boards. Price \$1.

Second in the Film Library Series of publications by the Museum of Modern Art, "Douglas Fairbanks," is a thoughtful, well-balanced analysis of the actor and his place in screen art; of the merging of Douglas Fairbanks, the man himself, his characteristics, his athleticism, his American brand of idealism, into "Doug" the screen star who knew "more about making pictures than all of us," as Joseph M. Schenck was to say later.

Mr. Cooke divides his monograph into three sections: I. Creating a Screen Personality; II. The Raw Material (Douglas Elton Uman); III. The Making of "Doug," with three sub-divisions—The Popular Philosopher (1917 to 1920); The Athlete (1916-1932); The Showman (1912-1929). This is followed by a chronology of the private and screen life of the star and a full index. The pages are about as large as those of THE FILM DAILY with two columns to the page so that the monograph would fill about 100 pages of an ordinary 12 mo. book. It is handsomely printed and reproductions of photos of Fairbanks and of scenes from his pictures are of artistic and nostalgic interest to those who fell under the Fairbanks spell in his early or mid-career.

The Museum of Modern Art has done a service to the screen and the general public in publishing Mr. Cooke's illuminating essay on the ebullient Fairbanks whose name is indissolubly linked with the emergence of motion pictures from a curiosity into a popular art form that is helping to shape the pattern of modern civilization. To the student of the films, to all those who were Fairbanks "fans" and to the general public the volume is recommended.

—L. H. M.

Talley Appoints Darrock To Short Subjects Post

Appointment of Jack Darrock to a supervisory post in the Fox Movietone short subjects department is announced by Trumpan Talley, production chief of Movietone. Darrock, who has been news manager on the Coast for a number of years, is succeeded there by Arthur De Titta, who recently returned from Europe.

stand. Testimony interrupted by frequent legal clashes. Moon said Co-operative closed as a unit for product deals for all houses, and testified to some situations where independents could not get pictures at any price but Co-operative could.

See Fewer Disputes Under Arbitration

(Continued from Page 1)

country were constantly bickering and charging each other with unfair trade practices until the companies organized under the AAA. Since this plan was adopted, there has not been one airlines case brought before the arbitration association in a year, it was said.

While the motion picture business is unique in its methods of operation and cannot be compared directly with the air travel industries, observers are of the opinion that many intra-industry controversies will be settled by the parties involved before arbitration will be attempted.

Meanwhile, in business circles generally the film arbitration setup is being seriously studied as to the possibilities for its adoption as a self-regulation model. Already, there are predictions that, if successful, it will be widely applied.

Counsel for the Department of Justice is quoted as seeing no legal or practical obstacles to the setup's adoption by other industries. It is pointed out, too, that every industry has its distribution problem, with resulting disputes.

Dietz to be Toastmaster At NAA's "Flight" Banquet

(Continued from Page 1)

will be toastmaster when the nation's notables assemble at the Hotel Carlton in Washington on Tuesday night for a banquet sponsored by the National Aeronautic Association. Admiral Harold Stark, ranking navy officer, Dr. Leo S. Rowe, director-general of the Pan-American Union, NAA President Gill Robb Wilson and a State Department spokesman are slated to talk on subjects of timely significance. This will be Dietz's first appearance on a Washington rostrum.

The banquet will be a highlight in the program of events in connection with NAA's sponsorship of the hemispheric premiere of Metro's "Flight Command," a story of Navy fliers starring Robert Taylor. Guests will be transported from the banquet hall to the Capitol Theater here for the "Flight Command" premiere. Simultaneous showings are to be made in Havana, Mexico City and Toronto in this first hemispheric premiere.

Baldwin Loaned to Columbia

West Coast Bureau of THE FILM DAILY
Hollywood—Earl Baldwin, one of Warners' story writers, has been loaned to Columbia to work on an untitled musical story. This is the first time in 11 years that Warners' have loaned him out.

Pashman in Utica Post

Boston — Hy Pashman, formerly with the local E. M. Loew houses, has been named city manager for Utica.

\$13,000 Costs Add To B & K Suit Bill

Defendants' costs in the Government's Chicago contempt action against Paramount, B & K and B & K Management Corp. were reported yesterday to have been approximately \$13,000, including \$10,000 fee to Special Master Edgar Eldredge and \$3,000 court costs.

A decree was signed on Tuesday fining B & K \$5,000, B & K Management \$2,500 and Paramount \$2,500. Contempt case grew out of alleged violation of the 1932 consent decree.

Films' Greek Relief Quota is \$3,000,000

(Continued from Page 1)

and national president of Ahepa, Greek society.

Nomikos, here for a meeting on Greek relief, expressed his satisfaction with the co-operation received from all branches of the industry.

Samuel Goldwyn is in charge of the studios' activities, he said, and is now developing plans for a gigantic international radio broadcast that will include film stars and world notables. They hope to have Prime Minister Churchill and King George from England, General Metaxas and King George from Greece, and several high officials from Canada sandwiched in between the Hollywood stars and stage personalities, Nomikos said.

The exhibitors will play their most important part through midnight shows, with all the receipts going to the fund, Nomikos disclosed. No date has been set, the Ahepa president said, but they will try to have all the shows on the same night or as nearly close together as possible. The services of all employees including operators, stage hands, ushers, etc., will be donated.

Nomikos is in charge of lining up the independent exhibitors while Spyros Skouras is in charge of arrangements for the circuits.

It is expected the studios will make individual donations to the fund.

Andy Anderson Sells N. M. Houses to McGinnis

Albuquerque, N. M.—R. V. McGinnis of Tulsa, Okla., purchased the Real Theater at Mountainair and the Star Theater at Estancia from Andy Anderson last week. The latter will enter a health sanatorium at Pueblo, Colo.

Velas Sells Back to Barlow

Powhattan Point, O.—H. A. Barlow took over the Point Theater from Chris Velas as of Dec. 1. The house, originally owned by Barlow, was sold to Velas in June, 1938. Barlow also operates the Taplin Theater and owns the American, closed.

Complete Industry Defense Committees

(Continued from Page 1)

chairmen of each group. These committees include publicity, short subjects, distributors and newsreels.

The publicity committee, headed by Oscar Doob, of Loew's, is composed of Harry Mandel, RKO; Aubrey Schenck, Fox; Harry Brandt, representing independent circuits; Harry Goldberg, Warners, and Claude Lee, Paramount.

The short subjects committee, as appointed by Chairman William J. Clark, of 20th Century-Fox, includes Fred Quimby, M-G-M; Dick Murray, Paramount; Harry Michelson, RKO; Norman Moray, Warner Bros.; M. J. Weisfeldt, Columbia, and Bernie Kreiser, Universal.

The newsreel committee, under E. B. Hatrick, of News of the Day, is composed of Al Richard, Paramount; Truman Talley, Fox Movietone; Tom Meade, Universal, and Walter Ament, Pathe.

William A. Scully's distributors' committee includes Herman Wobber, 20th Century-Fox; Ned Depinet, RKO; Neil Agnew, Paramount; W. F. Rodgers, M-G-M, and Grad Sears, Warner Bros.

Lopez, Bradley and Kinney Bands to Make Soundies

(Continued from Page 1)

Mills Panorams, automatic motion picture machines, it was announced by Dick Hyland, Arthur Leonard will direct the films which will be produced at the Fox-Movietone studios here. Production starts Monday.

Lopez is currently heard over WOR. Bradley's band is at the Biltmore Hotel and Ray Kinney's outfit has passed its fourth year at the Lexington Hotel.

Buffalo Variety Club Honors UA's Lehman

Buffalo — Syd Lehman, UA branch manager, is the new Chief Barker of Tent No. 7, Variety Club of Buffalo. Elected by the board of 11 directors, he succeeds Robert T. Murphy, chief booker for the Shea circuit, who has held the office for two years.

Other officers: First assistant chief Barker, Stanley Kozanowski, Rivoli Theater; second assistant, George F. Hanny, Jr., Capitol Theater; secretary and treasurer, W. E. J. Martin, dramatic editor, the Courier-Express, for the seventh consecutive year in the former post and the sixth in the latter.

Completing the directorate are Phil Fox, Columbia; Irving Fried, Tri-State Candy; Elmer F. Lux, RKO; Ralph W. Maw, M-G-M; Sydney Samson, TCF; Melvin Schwartz, Jubilee Theater, and Past Chief Barkers Murphy and Jacob Lavene, Academy Theater, ex-officio.

Installation of officers has been set for Jan. 11.

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD
THERE'll be a sequel to "Santa Fe Trail," Warners announce. Title of the Errol Flynn starrer will be "They Died With Their Boots On." Studio hasn't announced just where the world premiere will be held, but the gagsters are having plenty of fun with the title implications. Film will be based on the story of General Custer from the screenplay by Aeneas Mackenzie and Wally Klein. Michael Curtiz will direct.

•
GENE MARKEY presented a special preview of "You're The One" for the drama class at Stanford University. Markey's production for Paramount featured the music of Orrin Tucker's orchestra and the singing of Wee Bonnie Baker.

•
REINHOLD SCHUNZEL is taking a camera crew to the vineyards and wineries near San Bernardino to photograph symbolic scenes for "New Wine" which he is preparing to direct for Alexander Korda. Schunzel says that the vineyards of Southern California are very similar to those found in Southern Europe.

•
GERTRUDE NIESEN is talking picture deals with both Columbia and Universal Studios. In the meantime "Carmen From Kenosha," stage musical in which Gertrude will have the title role is shaping up nicely. Producer Boris Petroff is negotiating with John Murray Anderson to do the staging, and Vincent Minelli to do the scenery and costuming. Victor Young and Ned Washington are already set for the music and lyrics and rehearsal will start immediately after the holidays.

•
CHARLIE RUGGLES has ordered a 20-foot Christmas tree to be decorated for his annual Christmas party. This year, 50 orphans will be guests at a dinner and entertainment on Christmas Day. On Thanksgiving Day, Ruggles gave a turkey dinner for 25 unfortunates from a downtown rescue mission.

•
BRADBURY FOOTE, M-G-M scenarist, has accompanied Director Frank Borzage to Flagstaff, Ariz., on his location preparation jaunt for "Billy, the Kid." Foote, who wrote the script, in collaboration, for M-G-M, will rewrite certain sequences so that they fit the Flagstaff location perfectly, thus saving time when the company arrives for shooting.

•
THE Oskie family loves animals. Jack has a dachshund as his personal pet, but his wife, the former Venita Varden, owns 12 Afghan hounds, 1 cocker spaniel, 1 Bedlington terrier, 2 Sealyhams, 3 Cairn terriers, 2 West Highland terriers, 2 bantam chickens, 6 rabbits and 200 pigeons.

•
FIRST production of the New Year to get started at Warners will be "Miss Wheelwright Discovers America," with Curtis Bernhardt directing. Starting date has been set at Jan. 2.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 116

NEW YORK, FRIDAY, DECEMBER 13, 1940

TEN CENTS

"U" READY TO PURCHASE 1st PREFERRED Try Three Circuit Trust Suits at Separate Times

No Simultaneous Prosecution With Action Against "Little 3," D of J Agrees

The Government yesterday agreed with counsel for Universal, UA and Columbia to try the three anti-trust suits against the Schine, Griffith and Crescent circuits at separate times and in an "orderly fashion."

The agreement also provides that the Government will not seek to try any of these circuit suits simultaneously with the New York action against the "Little Three."

Attorneys for the "Little Three"

(Continued on Page 5)

First Halifax Sunday Show in FPC Capitol

Halifax, N. S.—In deference to the local Ministerial Association, important changes have been made in the plan to offer Sunday film shows in Halifax.

Instead of the normal admission rates prevailing, there will be voluntary donations. Instead of the general public being eligible, only the men of the Canadian Army, Navy and Air Force and the British

(Continued on Page 5)

Alfred Katz Named UA Manager in Japan

Walter Gould, UA foreign head, announced yesterday the appointment of Alfred Katz as general manager of the company's interests in Japan, with headquarters in Tokyo.

Katz, for many years manager for

(Continued on Page 5)

Rumors Persist That Joseph P. Kennedy Will Head Hearst Newspaper Syndicate

Despite denials, persistent rumors are circulating to the effect that Joseph P. Kennedy will become associated with the Hearst newspaper organization. The former motion picture executive and erstwhile ambassador to Great Britain is reported to be resting in Florida but sources believed to be reliable link his name with the Hearst papers. According to reports, Kennedy will head a group which will take over the newspaper chain or will assume the general management. In newspaper circles it is said that a general reorganization of the Hearst organization is in prospect.

Exhib. Showmanship Lack Scored by Cohn

One of the largest turnouts of Ampa's season of luncheon meetings was present in the Hotel Edison's

Sun Room yesterday to hear Jack Cohn, Columbia's vice-president, plead for the application of showmanship to the sale of films to the public.

He declared that, in a considerable number of

instances, films currently play the

Newsreel Theaters Drop Nazi Clips from Reels

Following a week's trial, New York news reel theaters have discontinued the showing of official Nazi newsreel

(Continued on Page 4)

Industry Notables At Philly Banquet

Philadelphia—Brief speech by Postmaster General Frank C. Walker highlighted the annual banquet of the

Philadelphia Variety Club last night at the Bellevue-Stratford Hotel which attracted approximately 1,000 attendants. Dais was filled with industry notables and distinguished guests.

The Postmaster General said that under the consent de-

(Continued on Page 6)



JACK COHN



FRANK C. WALKER

Firm Requests Tenders; \$1,000,000 Authorized for Such Purpose by Board

J. Cheever Cowdin, chairman of the board of Universal Pictures Company, Inc., announced yesterday, following a special meeting of the company's directors, that the company

Universal Pictures first preferred soared sensationally on the Big Board yesterday, closing at 119, a gain of nine points. Day's high for the stock was 124, low, 115. Trading yesterday saw total sales of 94,000 shares.

has asked tenders for sale to it of its first preferred stock and authorized the use of \$1,000,000 for such purchase.

"U" is inviting tenders of these

(Continued on Page 6)

Loew Cash Position Said Up \$11,000,000

Loew's, Inc., has increased its cash balance by approximately \$11,000,000 since Aug. 31, 1939, and current earnings are running between 50 per cent and 60 per cent ahead of the same period last year, according to The Wall Street Journal

(Continued on Page 4)

"Dictator" to Play Odeon, GB Circuits Simultaneously

Walter Gould, head of the UA's foreign department, yesterday announced details of a most unusual circuit contract for a picture ever

(Continued on Page 8)

"Story" Into Second Milwaukee Theater

Milwaukee—M-G-M's "The Philadelphia Story" in what is believed to be an unprecedented move has been booked into the Strand to play day-and-date with the Wisconsin engagement's second week in the same situation. At the latter house, film topped "Boom Town" grosses for the first week.

Dutch Industry "Unionized" Device Employed to Insure Rigid Control

U. S. Acts Against Exhibs. Failing to Turn in Taxes

Washington Bureau of THE FILM DAILY
Washington—The Bureau of Internal Revenue is taking vigorous action against theater owners and

(Continued on Page 6)

The Hague (By Air Mail)—Rigid governmental control of the Dutch film industry through the device of "unionization" is provided in new regulations which place the industry under the authority of the Undersecretary of Education, Arts and Sciences, without, however, dimin-

(Continued on Page 4)

U. S. to Aid Bally for Para.'s "Wings"

Government's desire to participate in a campaign on "I Wanted Wings" is said to be the reason for Paramount withdrawing the picture from release on March 21, 1941. Picture is to be given a big buildup in connection with the air corps' recruiting campaign. Release may be set ahead of the original March date.

THE Film DAILY

ALL THE NEWS
ALL THE TIME

Vol. 78, No. 116 Fri., Dec. 13, 1940 10 Cents

JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Thursday, Dec. 12)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	9 1/2	8 1/2	9	+ 1/2
Col. Pict. vcs. (21 1/2%)	6 1/2	6 1/2	6 1/2	0
Columbia Pict. pfd.	26	26	26	0
Con. Fm. Ind.	9-16	9-16	9-16	+1-16
Con. Fm. Ind. pfd.	7 1/2	7 1/2	7 1/2	0
East. Kodak	137	134 3/4	135 1/2	- 1/2
do pfd.	113 1/2	111 1/2	111 1/2	- 1/2
Gen. Th. Co.	32 1/2	31 3/8	32 1/8	+ 1/8
Loew's, Inc.	10 1/2	10 1/2	10 1/2	0
do pfd.	10 1/2	10 1/2	10 1/2	0
Paramount	10 1/2	10 1/2	10 1/2	0
Para. 1st pfd.	10 1/2	10 1/2	10 1/2	0
Para. 2nd pfd.	10 1/2	10 1/2	10 1/2	0
Pathe Film	3 1/2	2 3/4	3	+ 1/4
RKO	41 1/4	40	41 1/4	+ 1/4
RKO 55 pfd.	6	5 7/8	6	0
20th Century-Fox	17	17	17	0
20th Century-Fox pfd.	124	115	119	+ 9
Univ. Pict. pfd.	3 1/2	3 1/4	3 1/2	+ 1/4
Warner Bros.	54	54	54	+ 1/2
do pfd.	54	54	54	+ 1/2

NEW YORK BOND MARKET

Keith B. F. ref. 6546	105	104 1/2	105	+ 1/2
Loew's deb. 3 1/2% 46	52 1/4	52	52	0
Para. B'way 3555	95	95	95	0
Para. Pict. cv. 3 1/4% 47	95	95	95	0
Warner Bros. deb. 6 1/8% 46	96 1/4	96	96 1/4	+ 1/4

NEW YORK CURB MARKET

Monogram Pict.	9 1/2	9 1/2	9 1/2	0
Sonotone Corp.	9 1/2	9 1/2	9 1/2	0
Technicolor	9 1/2	9 1/2	9 1/2	0
Trans-Lux	6 1/2	6 1/2	6 1/2	0
Universal Corp. vtc.	15 3/4	14 3/4	14 3/4	+ 1/2
Universal Pict.	15 3/4	14 3/4	14 3/4	+ 1/2

Shorts Upturn Reflected as RKO Radio Reaches Peak

"There has been a noticeable upturn in general interest in short subjects during 1940 over last season," Harry Michelson, short subject sales manager for RKO Radio Pictures, said yesterday. Michelson attributed it to exhib. and public recognition of all-round improvement shown in shorts production and to interest in topical subjects enhanced by the war.

Michelson said RKO Radio would reach its peak for short releases in December, a top month both for number of playdates and gross billings.

Eleven one and two-reelers are scheduled for current release and holiday playing time, with the set-up headed by M of T's new "Labor and Defense—1941" and another new two-reeler in the Dionne series, "Growing Up." M of T's "Arms and the Men—U.S.A." was an early December release. A third two-reeler is Edgar Kennedy's "Drafted in the Depot."

The second Information Please short featuring Wendell L. Willkie is in the list of one-reelers, and will have close to as many engagements as the first unit, Michelson predicts.

Howard Voices British Aid Thanks in GWTW Message

Atlanta—Leslie Howard greeted the audience at the anniversary premiere of "Gone With the Wind" last night. A message sent from London where Howard is in the British Army was read to the audience. Howard thanked those who attended the anniversary performance which was sponsored by the Atlanta Committee of the British War Relief Society and voiced gratitude to the American people for their increasing aid to England.

With the same enthusiasm that greeted its world premiere last year, GWTW was launched on its popular-priced showings. Vivien Leigh, Laurence Olivier and Director Alfred Hitchcock headed the Hollywood delegation.

One of the guests of honor was a southern girl named for the occasion "Miss (GWTW) Anniversary," chosen from among hundreds of applicants in a contest sponsored by the Atlanta Constitution.

Reeve to Leave Hospital

Don Reeve, of the Paramount publicity department, will leave St. Luke's Hospital next week after convalescence following an appendectomy. However, he has been ordered by doctors to take a long rest and probably will not return to the office until about Feb. 1, after a stay in California with his family.

AFF In Astor Deal

Detroit—Allied Film Exchange has signed with Astor Pictures for distribution of Astor product in this territory, according to Manager H. Vinton Gilbert.

British Army Footage Goes Into New Hirliman Feature

Scenes of actual air raids, obtained from the British army archives, will be included in a feature being prepared by George Hirliman for release by Select Attractions. Title of the picture will be "Bomb Shelter" and will be produced ahead of "The Tigress or the Lady," which Hirliman had scheduled for production as his next attraction. Picture will be made at the Miami studios of Colonnade Pictures Corp.

Hirliman is completing arrangements with representatives of the British Government to give him every technical assistance in presenting the subject. It is said that the air raid shots have never been seen on the screen before.

Hirliman leaves for Florida late this week to start production. Release is set for Feb. 1.

Mutual Network to Carry "Flight Command" Dinner

Washington Bureau of THE FILM DAILY

Washington—In recognition of its contribution to the celebration of Pan-American Aviation Day, the banquet which on Tuesday night will precede the hemispheric premiere of Metro's "Flight Command" will be broadcast over WOL in Washington and nation-wide stations of Mutual's network. Broadcast will originate in Carlton Hotel.

Howard Dietz, M-G-M executive in charge of promotion, will introduce Admiral Harold Stark, Gen. George C. Marshall, Dr. Leo S. Howe, director general Pan-American Union and Gill Robb Wilson, president National Aeronautics Association. Following the banquet, guests will witness the premiere of "Flight Command" at the Capitol Theater.

Sam Schreiber Dead

Detroit—Sam Schreiber, 47, brother of Nate, Jacob and Alex Schreiber, Detroit theater operators, died after a long illness. Burial was at Cloverhill Cemetery.

TO THE MOTION PICTURE INDUSTRY:

The undersigned are the sole and exclusive owners of all distribution and exhibition rights in and to the motion picture entitled "ECSTASY."

NOTICE AND WARNING are hereby given that any exhibition, distribution or other dealing with the said motion picture "ECSTASY" will be a violation and infringement of the property rights of the undersigned; that the undersigned will hold strictly accountable in damages any and all parties whomsoever who attempt or participate in such wrongful and unlawful exhibition, distribution or other dealing with the said motion picture entitled "ECSTASY." Dated: December 11, 1940.

MICHAEL M. WYNGATE, INC.

MAX WEINGARTEN

236 West 59th Street
New York, N. Y.

COMING and GOING

GEORGE J. SCHAEFER, RKO prezzy, is due back from the Coast on Monday.

CHARLES CHAPLIN is expected to spend the holidays in Florida.

JACK BENNY and his radio troupe arrived here from the Coast yesterday.

ARTHUR BORAN, who has appeared in numerous "March of Time" reels, flies to the Coast soon to replace N.T.G. as emcee at the Florentino Gardens opening next Monday.

JIMMY SILEO, chief photographer at the Music Hall, returns today from a three-week trip to Mexico where he took color photographs of Mexican life on a special assignment as well as color scenes for Music Hall stage backgrounds.

CHANNING POLLOCK has returned to New York from a lecture tour of the West.

PHIL ENGEL, Warner exploiter, leaves today for a 10-day trip which will take him to Boston, Providence, New Bedford, Syracuse, Rochester and Buffalo to set campaigns on "Santa Fe Trail" and "Four Mothers."

A. A. FEINBERG arrives here on Wednesday from Minneapolis.

WESLEY RUGGLES and his wife are due in New York today on the return from their air tour of South America.

GROUCHO MARX was due in yesterday from the Coast.

HERBERT J. BIBERMAN arrived here yesterday from Hollywood.

HARRY RATHNER of PRC is back from his Coast trip.

ALLAN DWAN is set to return to the Coast from New York next week.

HERBERT J. YATES, CFI prezzy, is scheduled to arrive here today from the Coast.

ROSALIND RUSSELL, having finished added scenes in Columbia's "This Thing Called Love," leaves the Coast today by train for New York.

Hawks Quits "Outlaw"; Hughes May Direct It

West Coast Bureau of THE FILM DAILY

Hollywood—Producer-Director Howard Hawks has definitely withdrawn from the Howard Hughes production of "The Outlaw." Hughes himself rehearsed the cast yesterday and it is not unlikely that he personally will direct the picture.

Republic Pacts Leni Lynn

West Coast Bureau of THE FILM DAILY

Hollywood—Republic has signed Leni Lynn, aged 15, formerly with M-G-M, to a term contract.

 **NATIONWIDE—BUT NOT TOO BIG FOR FRIENDLY SERVICE!**

Postal Telegraph

CHARGES FOR TELEGRAMS PHONED IN
APPEAR ON YOUR TELEPHONE BILL.

ROSS FEDERAL RESEARCH CORPORATION

Announces the Appointment of

DR. HENRY MANN, Ph.D.

to the post of Analyst of Motion Picture Research.

Dr. Mann who has been working in close association with Ross Federal Research executives for the past two years, has been active in evolving and correlating scientific formulas covering all types of motion picture distribution and production. Ross Federal is thus enabled to render a more thorough and complete motion picture research service than has heretofore been possible.

Dr. Mann studied mathematics at the University of Vienna from 1931 to 1936, receiving his Doctorate in mathematics at the University of Vienna in 1935. For the following two years he was instructor in mathematics and scientific procedures and published four papers on higher mathematics, two of these under the sponsorship of the Academy of Science in Vienna. He later worked on medical statistics with Dr. Curt Fried at the Clinic of Genoa, Italy. During his association with Ross Federal, Dr. Mann has constructed three *errometers* for measuring statistical error which are now used by Ross Federal.

ROSS FEDERAL RESEARCH CORPORATION

18 East 48th Street, New York City

Dutch Pix Industry Ordered "Unionized"

(Continued from Page 1)

ishing the right of control of the Undersecretary of the Interior, which is defined in the Cinema Act.

The chief point in the decree establishes that the Cinema Union shall be charged with the promotion and care of the film industry; and that all members of the industry in its various branches must join that organization by July 1, 1941.

The president and vice-president of the Cinema Union are appointed and may be dismissed by the Undersecretary of Education, Arts and Sciences.

Subject to the approval of that Undersecretary, the president of the Cinema Union is granted authority to issue regulations governing membership, including the right to expel members and reject membership applications, as well as to impose fines not exceeding 5,000 florins for offenses.

Newsreel Theaters Drop Nazi Clips from Reels

(Continued from Page 1)

clips due to a storm of protests from patrons. The clips were preceded on the screen by an announcement stating that it was the desire of the house to also show the other side of the news. Patrons were asked to give the manager their reaction to the move.

Footage was tried out by the houses to attempt to build up the amount of war news available now, all of which is officially released and censored by the English government. Hisses, boos, etc., were elicited from every audience viewing the material, and it was feared that, apart from the fact that the patrons definitely did not like it, there would be more serious disorders.

New German House Opens

Modern Playhouse, 82nd St. and Third Ave., new German film theater, opens today. Karl Eiche manages.



DECEMBER 14

Frank Campeau
James W. Horne

Ray Foster
Jack C. Raymond

DECEMBER 15
Charles Rosenzweig



—SANTA FE

● ● ● IT was 104.9 degrees in Rio de Janeiro according to yesterday's newspapers.....but that's mild compared to the figurative fever-heat in this city.....as it opens today a three-day celebration.....climaxed tomorrow night by the eagerly-awaited world premiere of Warners' "Santa Fe Trail".....to be held simultaneously in the Lencis, Paris and Burro Alley Theaters.....By the time you read these words this Friday morn.....both ends of filmland.....Hollywood and New York.....will be converging to participate in what promises to be.....the most colorful program of events yet to surround the debut of a feature film.....Among the pic players en route are Errol Flynn, Olivia de Havilland, Alan Hale, Raymond Massey, Van Hellen, Big Boy Williams, Priscilla Lane, Roy Rogers, John Barrymore, Rudy Vallee.....—plus a phalanx of scribes numbering about 250.....and representing the wire services, daily newspapers, photo syndicates, trade papers, and magazines.....Such shooting as Santa Fe has never witnessed.....is assured by the presence on the incoming junket trains.....of at least two score photographers.....

● ● ● WHAT are known in native jargon as "luminarias" (candles carefully nestled in sand at the bottom of large paper bags).....will illuminate the city and surrounding country to welcome the stars-and-scribes.....who'll be greeted, too, with that ancient rite known as Cabildo (thrown in the "clink"—a custom of the early days when strangers were hoosgow-ed until they proved themselves entertaining).....Conquistadora, descendant of the first horses brought to Santa Fe 400 years ago by the Conquistadores, will lead the big street parade (with Jockey Flynn up,—we hope,—inasmuch as the mare ain't never been in a parade before).....Tomorrow, after civic honors have been showered on the junketeers, the film folks will dedicate the new ski run in the Sangre de Christo mountains.....Following the premiere is the Grand Ball which should be paradise for the scrivening swains on the WB expedition.....inasmuch as the native guys have to give up their gals to the visitors.....—so you take Santa Claus, and we'll take Santa Fe.....

—NEW YORK

● ● ● THERE'S absolutely no truth in the report that the Santa Fe R. R. has named its crack train, "The Chief," in honor of Warners' Mort Blumenstock,—despite the picture in yesterday's Daily Mirror. . . ● Who said pix would never invade snooty mid-town Fifth Avenue? (Did'ya see that fine portrait of Walter E. Green, NTS prexy, in the bronze display frame on the facade of the building which houses the swank studios of Irving Chidnoff, purveyor of portraits to filmland's notables?). . . ● Everyone drifting in from Pittsburgh this week is talking about that "double bill" testimonial dinner held in the Cardinal Room of the William Penn Hotel in honor of Bob Dunbar and F. D. "Dinty" Moore to celebrate their promotions by Vitagraph, Inc. (each received a whiz of a wrist watch as a token of the occasion). . . ● Howard Dietz will be emcee of the special forum on WMCA Sunday night from 7 to 7:30 in the interests of the Star-Spangled Ball to be held in the Hotel Astor, Dec. 20 (Appearing on the forum program, whose subject is "The Fight For Democracy," will be Robert Sherwood, Alice Duer Miller, Mrs. Borden Harriman, Oscar Levant, Herbert Bayard Swope, and Carol Bruce,—to name a few).....

« « « » » »

Loew Cash Position Said Up \$11,000,000

(Continued from Page 1)

which yesterday analyzed the company's financial status.

Cash position of Loew's was said to be about \$28,000,000 as of Dec. 1, compared to \$17,000,000 on Aug. 31, 1939. The Journal estimates that the new fiscal year's first quarter, ending about Nov. 30, will be in the neighborhood of \$1.15 a common share. The net for the November period last year was equal to 71 cents a share.

By reducing studio expense and making pictures at a lower cost without affecting the quality, Loew's has been "putting its house in order to meet the changed conditions," the Journal asserts. Loew's is expected to get out between \$3,000,000 and \$4,000,000 from Britain during the coming year, compared with between \$5,000,000 and \$6,000,000 last year under currency quota rulings.

Morgan Assures Publicists Of Actors Guild Support

Ralph Morgan, former president of the Screen Actors Guild, at a meeting of the Screen Publicists Guild held here last night for the purpose of gaining the support of the film stars in its drive to get a contract with the producers, told the publicists that "The actors will welcome you 100 per cent."

Morgan said that there are certain rights and privileges which the publicists believe they should have and added: "Many of these rights and privileges are given to you by the constitution of the U. S., and you have the right to demand them and get them. You are just as much a part of the industry as the men who run it."

Rosemary Lane, another guest, also assured the publicists that the actors would help them in the fight for a contract.

Joseph Gould was nominated by acclamation for a second term for president of the SPG. Nominations were held for other officers with balloting set to take place next week.

WEDDING BELLS

Detroit—Rosalind Owen, of PRC, was married to Joseph Iller, whose sisters, Elizabeth Iller and Mrs. Janet Long, are with Republic.

Washington Bureau of THE FILM DAILY

Washington—Stanley Barlap, newly appointed manager of the Vernon Theater in Alexandria, has revealed his secret marriage more than a year ago to the former Margaret F. Garrett of Sharpsburg, Md. The wedding took place in the Cathedral Church of St. John, Wilmington, Del., in August, 1939.

First Halifax Sunday Show in FPC Capitol

(Continued from Page 1)

Navy, each entitled to bring one guest, will be admitted. Instead of opening all the local film theaters, a fight will be made, experimentally, with the Capitol only. This house, operated by Famous Players-Paramount, seats 2,000.

If the receipts do not match the expenses, the circuit will cover the discrepancy.

Instead of continuous operation from 1 p.m. until 11 p.m., or with separate afternoon and night shows, there will be only one show, at 8:45, allowing the men in uniform to go to church services before the show. Theater will open at 8:30.

The program is to include vocal and instrumental numbers by local amateurs and soldiers, sailors and air force men, Army and Navy band music, sing-songs, an educational film, and, finally, a full-length feature of "superior quality."

The operators and other employees of the Capitol have been asked to accept pay at the weekday schedules instead of double time for Sunday work. Army, Navy and Air Force police will serve as ushers.

If the response is so great the Capitol cannot handle the crowds the largest of the other local theaters are to be opened, with different or similar programs. If necessary, all Halifax theaters will be available on the same basis—viz., Casino, Family, Community, Orpheus, Empire, Oxford, Garrick, Gayety.

Alfred Katz Named UA Manager in Japan

(Continued from Page 1)

Metro in Poland, succeeds Joe Goltz, who has been transferred as general manager of the United Artists exchanges in China, with headquarters in Shanghai. Goltz replaces Norman Westwood, resigned.

Henie Appeals \$77,133 Verdict

Formal notice of appeal of a verdict directing the payment of \$77,133.44 to Dennis R. Scanlon has been filed in the Supreme Court by Sonja Henie. Scanlon sued for the sum, claiming that he was entitled to 20 per cent of her earnings under terms of an oral contract.

STORKS!

West Coast Bureau of THE FILM DAILY
Hollywood—Second baby in two days born to members of "The Great Lie" company is the son of Carl Guthrie, second cameraman on the Bette Davis-George Brent film at Warner Bros. First, also a boy, made Bert Six, still man, a father the preceding day. The Carl Guthrie heir makes a grandpoo of Bill Guthrie, Warner Bros. location manager.

REVIEWS OF NEW FILMS

"Lone Star Raiders"

with Robert Livingston, Bob Steele, Rufe Davis

Republic 57 Mins.
WEAK STORY DROPS WESTERN BELOW STANDARD FOR THE MESQUITEER SERIES.

Latest release in Republic's Three Mesquiteer series, this one falls short of the standard established by its predecessors due to a weak story. The dyed-in-the-wool western fans and the followers of Bob Livingston and Bob Steele will probably like the picture though. There is plenty of riding, the customary amount of fist-fighting and shooting, the usual skulduggery by the villains, and Rufe Davis sings and does his imitations.

In addition to Livingston, Steele and Davis, June Johnson, George Douglas, Sarah Padden, John Elliott and John Merton are prominent in the cast. George Sherman directed from a screenplay by Joseph Moncre March and Barry Shipman.

The mesquiteers work for a ranch having money trouble and further troubles stirred up by Elliott and Merton at the behest of Douglas, a rival rancher trying to get the Government cavalry contract. Sarah Padden shows up as the new owner of the ranch, with the boys not knowing the old owner had even died. She is spared the truth because they don't want her to go back to the old ladies' home. Douglas and his henchmen make further trouble, commit a murder and attempt to keep the mesquiteers from riding in the race that decides the cavalry contract, but they come through in good style.

CAST: Robert Livingston, Bob Steele, Rufe Davis, June Johnson, George Douglas, Sarah Padden, John Elliott, John Merton, Rex Lease, Bud Osborne, Jack Kirk, Tom London, Hal Price.

CREDITS: Associate producer, Louis Gray; Director, George Sherman; Screenplay, Joseph Moncre March and Barry Shipman; Original story, Charles Francis Royal; Cameraman, William Nobles; Editor, Tony Martinelli.

DIRECTION, O. K. PHOTOGRAPHY, Good.

State Film Bowling League To Be Formed in Conn.

New Haven—As a result of an open bowling fan meeting, sponsored by Connecticut MPTO, a committee consisting of Al Parizer, Columbia; Henry Germaine, Paramount; I. Levine, Imperial, and Dick Levine, premium and program salesman, was appointed to organize a state film bowling league. Matches are being arranged for Tuesday night at the Roger Sherman bowling alleys. A combined Paramount and 20th-Fox team will play a Warner team; while all-state exhibitors' representatives will be pitted against Columbia.

Defer American Opening

Formal opening of Loew's American Theater in the new Metropolitan Life development, Bronx, has been postponed from Christmas Eve to Dec. 26 at 11 a.m.

☆ SHORTS ☆

"Meet the Stars"

Republic 10 mins.

Auspicious Start for Series

First short to come from Republic, also the first in its series with Harriet Parsons about Hollywood personalities, this subject marks an auspicious debut for the series. The people seen are top flight stars, the material is well edited, the subject has been given a good background, and an amusing running gag has been worked through the reel with laughable results. The reel was taken at Pickfair at a benefit for China. Exhibitors should get a good play with the short from any audience.

"Living Dead" Into Bryant

"The Living Dead," a horror yarn dealing with the psychological study of insanity which was produced in pre-Hitler Germany by Gabriel Pascal, will open Monday at the Bryant Theater, it was announced yesterday by Hoffberg Productions, distributors of the film in this country. Picture, which was banned by the Nazis and smuggled out recently, has complete English titles.

Try 3 Circuit Trust Suits Separately

(Continued from Page 1)

as a result of the agreement have consented to withdraw their application for an order to restrain the Government from prosecuting the circuit actions until completion of the trial of the New York suit.

This application was to be heard today before Federal Judge Henry W. Goddard who had instructed Special Assistant Attorney General Robert L. Wright to advise the Court as to the order in which the suits will be tried.

Attorneys for the defendants stated yesterday that the Government is to inform them within a reasonable time as to the order of trial.

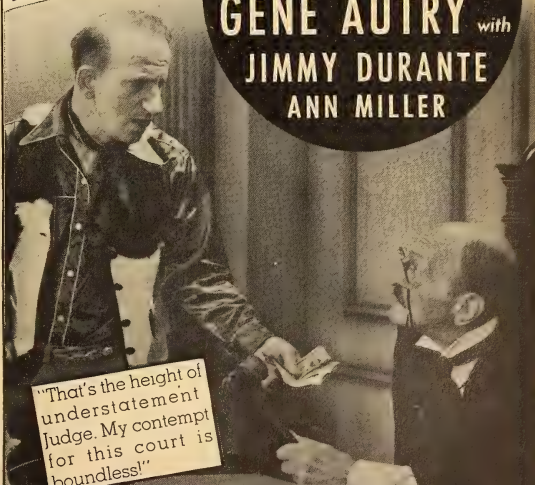
Houser on Fleischer Cartoon Assignment

Mervin Houser has been assigned to handle publicity on the forthcoming untitled cartoon feature which is being prepared by Max Fleischer for Paramount release. Houser, who will headquarter at the Fleischer plant in Miami, is a member of Paramount's studio publicity staff in Hollywood.

MELODY RANCH

A REPUBLIC PICTURE

GENE AUTRY with JIMMY DURANTE ANN MILLER



"That's the height of understatement Judge. My contempt for this court is boundless!"

and BARTON MACLANE • BARBARA ALLEN, IVERA VAGUE
GEORGE "GABBY" HAYES • JEROME COWAN • MARY LEE
JOSEPH SANTLEY—DIRECTOR

U. S. Acts vs. Exhibs Who Hold Out Taxes

(Continued from Page 1)

operators of other places of amusement which collect admission taxes and do not remit them to the Government, Guy T. Helvering, Commissioner of Internal Revenue, declared yesterday.

Helvering's statement came in commenting on the conviction of Pietro Garofalo, president of the Cine Lux Corp. of New York City, for failure to turn the taxes over to the Government. The Internal revenue commissioner said Garofalo's sentence—\$2,000 fine, two months in prison, and deportation to Italy upon completion of his sentence, as well as \$5,000 against the corporation—was a dear but just penalty. He pointed to the case as evidence of the swiftness and thoroughness with which the Bureau of Internal Revenue is moving to clean up this practice.

Stoia Suit to Block Opposition on Trial

Detroit—Suit brought by Joseph Stoia, owner of the Circle and Midway Theaters to restrain completion or operation of the nearby Carmen Theater, which is nearly completed, is in progress before Circuit Judge Guy A. Miller.

Stoia's suit, continuation of action brought by him some months ago, is based upon an agreement with Joseph Miskinis, his former partner, under which Miskinis would not operate a house within four miles of the Circle and Midway for a period of five years. Agreement, made last Spring, was upheld by a court injunction restraining Miskinis' son, Joseph, Jr., who originally appeared as a party in interest in the Carmen.

Stoia now contends that although the "legal" owners of record for the Carmen are Ben and Fannie Marshall and Oscar and Philip Gorelick, Miskinis really has a hidden interest, and seeks restraining action on that ground.

Lionel Barrymore's Symphony

West Coast Bureau of THE FILM DAILY

Los Angeles — Lionel Barrymore last night heard this unfinished symphony, "Tableau Russe," presented for the first time by a Works Project Administration orchestra, with James Sample conducting. The public reception of the work was so warm that Barrymore said that he would complete the symphony.

Brent to Act in Col. Film

West Coast Bureau of THE FILM DAILY

Hollywood — As soon as George Brent finishes his role in Bette Davis' new Warner Bros. picture, "The Great Lie," he will act the leading male role in Columbia's "We Dare Not Love" which Sam Bischoff will produce at the Warner studio. A leading woman is being sought.

Philly Dinner Draws Notables Film Execs. Galore at Variety Club Event

(Continued from Page 1)

cree in the Government's New York equity suit the Government was now getting closer to the motion picture industry and that he hoped that the decree would be the beginning of a real close association between the film industry and the Government. Walker further said he hoped the Government would get a finer understanding of the industry under the decree. He asked that the industry co-operate with the Government in its defense program.

The public, Walker stated, does not really understand either the work of the Postoffice Department or of the film industry, but under the decree he expressed the hope that the public would get to appreciate the value of the motion picture industry.

On behalf of the local Variety Club, the Postmaster General presented a check for \$2,000 to Dr. Alexander J. Stoddard, superintendent of schools, to be used to build a pool for the treatment of spastic paralysis cases. Walker commended John Harris, head of the National Variety Clubs, for his work in their behalf and paid a tribute to members of the Harris family for their efforts in behalf of the club.

Other speakers were Spyros Skouras, head of National Theaters, Senator James J. Davis, Harold Hoffman, former governor of New Jersey; John D. Kelly, a Philadelphia politician; Maj. Gen. Clifford Powell, commander at Camp Dix, and Dr. Stoddard.

The New York delegation was the largest in the Club's six-year history, and embraced company presidents, sales chiefs, circuit executives, exhibitor leaders and others.

Seated on the dais were: Ben Bernie—Master of Ceremonies; Maj. Gen. Clifford Powell, Fort Dix, N. J.; Jack Beresin, general chairman for the dinner, and former Chief Barker; Dr. Alexander J. Stoddard, superintendent of schools; U. S. Senator James J. Davis; Spyros Skouras, president, National Theaters; Ned E. Depinet, RKO

vice-president in charge of distribution; former Governor Harold Hoffman of New Jersey; Dr. John J. Shaw, State Secretary of Health; Lewis G. Hines, State Secretary of Labor and Industry; John B. Kelly, Democratic city chairman; also—

Jay Emanuel, Chief Barker of Variety Club; Dr. Leon Levy, president of WCWA, incoming Chief Barker; Rev. Herbert W. Jones, club chaplain; Charles C. Pettijohn, MPEDA general counsel; Frank C. Walker, the Postmaster General; Barney Balaban, president of Paramount Pictures; Joseph Bernhard, Warner Theaters general manager; William F. Rodgers, vice-president and general sales manager of Metro; W. G. Van Schmus, managing director of Radio City Music Hall; Albert M. Greenfield, local banker and real estate operator; also: Herman Webber, 20th Century-Fox sales chief; Arthur W. Kelly, United Artists sales head; Rev. Sylvester McCarthy, club chaplain; John H. Harris, president of Variety Clubs of America; Rabbi Simon Greenberg, club chaplain; Louis Krosch, secretary and treasurer, IATSE; Ted Schlanger, Stanley Warner zone manager; James C. Slaughter, president of Republic Pictures; Al Monteague, Columbia general sales manager; U. S. Sen. Joseph E. Guffey; William A. Scully, Universal general sales manager; also—

William Karrer, president of Motion Picture Associates; Leonard Goldenson, Paramount Theaters exec.; Leon Netter, Paramount Theaters exec.; William Sussman, 20th Century-Fox Eastern division sales chief; Robert Mochrie, RKO Eastern division manager; Tom Connor, Metro Eastern division manager; Harry Gold, United Artists Eastern sales executive; John Nolan, Comerford Theater circuit executive; Postmaster Joseph Gallagher, of Philadelphia; Frank J. A. McCarthy, Eastern division manager of Universal; David "Skip" Wesner, Stanley Warner executive; Jack W. Miller, president AGVA; Rubie Jackter, assistant sales manager of Columbia; Lou Weinberg, circuit sales, Columbia; Max Weisfeld, short subjects supervisor of Columbia; Steve Brody, general sales manager of Monogram; also—

E. K. "Ted" O'Shea, Metro central division manager; U. S. Judge Harry Kalodner; Max A. Cohen, president of Allied of New York; Sam Shain, Motion Picture Daily; John C. Flynn, a circuit; "Red" Kann, Fox; Okey Buckley Walters, pitcher for Cincinnati Reds; Jimmy Wilson, new manager of Cubs; Joe McConville, Columbia Foreign sales head; Robert Weitman, managing director of New York Paramount; Carl Leserman, Warners assistant general sales manager; Charles "Chick" Lewis, Showmen's Trade Review; Jules Levey, independent producer; J. J. Unger, Paramount Eastern sales manager; John C. Paine, Ascap general manager.

Moon, Strukel on Stand In Midwest's Suit

Detroit—Raymond E. Moon, manager of Mutual Theaters and former manager of Co-operative Theaters of Michigan, testified yesterday at the trial of the Midwest theater suit against Co-op. of Mich. that although deals were negotiated individually for each theater or circuit group in Co-operative, they were all really considered as a single deal for all Co-operative, according to Sam Shapiro, plaintiff's counsel.

Frank Strukel, manager of Martha Washington Theater in Hamtramck who is a defendant, was called for cross-examination by plaintiff's attorneys. Object of examination was to show that Strukel did not get product he wanted, although the house was a member of Co-operative, unless his deal was acceptable to the Co-operative management.

"Love Thy Neighbor" Will Open at Para. Tuesday

"Love Thy Neighbor," Para's Jack Benny-Fred Allen comedy, will have its world premiere at 8:30 p.m. Tuesday at the Paramount instead of opening Wednesday morning as originally planned. The theater will close for several hours before the premiere. In conjunction with "Love Thy Neighbor," the Paramount has booked Tommy Dorsey and his orchestra and the Nicholas Brothers.

Binnie Barnes for "Skylark"

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has signed Binnie Barnes for the part of Mrs. Valentine in Samuel Raphaelson's play "Skylark" with Ray Milland and Claudette Colbert. Preston Foster may also be cast in the film. Mark Sandrich, producer-director, will put it into work Jan. 6.

"U" Ready to Buy Its 1st Preferred

(Continued from Page 1)

shares, to be submitted to The Commercial National Bank and Trust Co. of New York, transfer agent, before 2 p.m. on Dec. 30, with delivery of and payment for such stock as may be accepted to be made on or about Jan. 6. There are 15,330 shares of preferred stock of the company at present outstanding.

"Since the issuance of the first preferred stock of the company in 1925," the call for tenders states, "all sinking fund payments thereon have been met up to and including June 30, 1941, except for the years 1933 to 1939, both inclusive, when operating losses made such payments inadvisable. In view of current earnings, the company feels that it can now make further sinking fund payments. Such payments will have to be made out of capital surplus, since the company has no earned surplus.

\$2,400,000 1940 Net

"Although the audit of the company's accounts for the fiscal year ending Nov. 2, 1940 has not been completed, it appears from the company's books that the net earnings after all charges including estimated taxes were approximately \$2,400,000. During the year, the company accumulated, and there is included in such earnings, approximately \$390,000, which were blocked in Great Britain; the value of such pounds at the present official rate of exchange is \$1,560,000.

"The first preferred stock acquired for the 1940 sinking fund payments was purchased at an average price of \$86.81 per share, and the stock so far purchased for the 1941 sinking fund payments was purchased at an average price of \$101.83 per share.

"The right is reserved to reject any and all offers."

Brand Whitlock Promoted

Brand Whitlock, former assistant manager of Loew's Capitol Theater, Washington, has been named manager of Loew's Columbia, Washington replacing Frank Taylor. Ted Teschner, assistant at Loew's Stillman, Cleveland, has been appointed manager of that theater, replacing Walter Caldwell, resigned, it was announced by J. R. Vogel of Loew's yesterday.

I-I Signs With Operators

Chicago—Jack Rose of the Illinois-Indiana Theater circuit says a new contract has been signed with movie operators in the Calumet region with no wage increase.

Murray Rites Tomorrow

Funeral services for J. Harold Murray, 48, stage and screen actor, who died at Ellsworth, Conn., Wednesday, will be held there tomorrow. Surviving are his widow and a son.



THE
1941
FILM
YEAR
BOOK
IS NOW IN
INTENSIVE PREPARATION

Lack of Exhib. Showmanship Scored by Jack Cohn

Failure to Cash-in on Pix Potentialities Deplored by Col. Exec. in Ampa Talk

(Continued from Page 1)

aters where the management makes no unusual effort in the way of promotion, with the result that these outlets fail to cash-in on the potentialities of the product.

Cohn mentioned in contrast several specific situations wherein exhibitors, having properly exploited attractions, were enabled to hold pictures over for long and highly profitable runs, whereas, in neighboring communities the same features did not register with the public because the will-to-attend had not been excited by exhibs. One attraction to which he referred played 31 consecutive days in a New England city because of the thorough campaign put behind it. The identical film had routine runs when it was denied promotion.

Exhibs. Who "Go To Town"

Columbia, he said, is fortunate in having an appreciable number of accounts which take a picture and "go to town" on exploitation ideas, and their methods should be models for the static stands.

Some exhibitors. Cohn said, have to attend to too many theaters, and, therefore, showmanship becomes more thinly spread than when concentration is applied, and added that theatermen generally let too many good pictures get away from them.

Touching on the subject of motion picture advertising copy and the part it plays in interesting the public, Cohn asserted that ad writers in the film industry have the advantage of writing about new product almost constantly, while ad writers on most national accounts labor under the disadvantage of having to coin copy on the same article or articles day in and day out.

Change of Title by Exhibs.

He scored one outlet which took the film, "Glamor for Sale" and, changing the title, advertised it as "Girls On Call." Cohn called this "an insult to the motion picture industry" and declared such practices should be severely dealt with, or otherwise film ad writers would find themselves preparing copy under censorship.

Cohn was introduced by Maurice Bergman, former publicity head for Columbia and now advertising manager of 20th-Fox. Columbia executives at the meeting included Nate Spingold and A. Schneider.

"Fantasia" Theater Not Set

Boston—They are still "dickering" over the place and the date for "Fantasia" but it's definitely settled that the Walt Disney feature will come into the Hub directly after the holidays for a long run.

RKO Sets Three International Broadcasts to Feature Desi Arnaz, Cuban Film Star

Three 15-minute radio programs over the NBC International Division stations featuring Desi Arnaz will be sponsored by RKO during January, it was learned yesterday. Programs, which will be on the air from 9:15-9:30 p.m. on Jan. 7, 14 and 21 will be a part of the RKO Pan-American Good Will Program. Arrangements for the series were made by Phil Reisman, vice-president and foreign manager of RKO, and L. P. Yandell, director of the NBC International Division.

NBC Tele Mobile Unit Will "Dictator" to Play Odeon, Pick Up Events at Garden GB Circuits Simultaneously

(Continued from Page 1)

tenna atop the Empire State Building to be used for three separate transmissions simultaneously, additional outside pickups by the NBC mobile television unit will be relayed to television audiences next week.

New filter will greatly improve local reception from Station W2XWG, NBC's FM transmitter, which is on the air from 3 to 11 p.m., Mondays through Fridays.

All NBC tele programs next week, except for the daytime tests, will be picked up by the mobile unit at Madison Square Garden. First, on Monday, will be finals of the Diamond Belt Tournament, an amateur boxing show conducted by the N. Y. Journal-American. On Thursday the New York Rangers will be out for revenge on the Boston Bruins, who trimmed them this week, and on Saturday the NBC camera will pick up the N. Y. U. vs. Syracuse, and St. John's University vs. Oklahoma University basketball games.

Texas Variety Club Will Honor O'Donnell Jan. 6

Dallas—R. J. O'Donnell, who will retire after five years as Chief Barker of the Dallas Variety Club at the club's New Year's Eve party, has been named Honorary Life Chief Barker of the local organization, hereafter to be called the Variety Club of Texas. New active Chief Barker will be Paul Short.

Club's first luncheon of the new year, Jan. 6, will be given in O'Donnell's honor and attending will be all employees of the Dallas film exchanges and employees of Griffith, Robb and Rowley, Jefferson and Interstate Theater Circuits.

Short will have a number of personal reps. throughout the State as a result of the state-wide scope of the local club. They include:

Eph Charninsky, San Antonio; Henry Hall, Beeville; John G. Long, Bay City; Clifford Porter, Beaumont; L. M. Crim, Kilgore; Al Lever, Houston; Louie Novy, Austin; Frank Weatherford, Fort Worth; J. Yuell Robb, West Texas; R. N. (Bob) Smith, Rio Grande Valley; Ben Ferguson, College Station; Joe Bryant, Lubbock; R. C. McIlheran, Wichita Falls.

(Continued from Page 1)

made in Britain. As a result of a deal concluded by Teddy Carr, joint managing director of UA in England, the Charles Chaplin picture, "The Great Dictator" has been booked by the Gaumont-British and Odeon Circuits to play simultaneously in all their theaters, even in those situations where the circuits are in direct opposition to one another. The terms are fifty per cent and extended playing time. Furthermore, these two powerful circuits have agreed to permit the houses of the ABC circuit, as well as independents, to play the Chaplin film concurrently if they wish to do so.

This is the first time that all booking barriers have been broken down, Gould pointed out. Thus, the British public will see the Chaplin comedy immediately.

"The Great Dictator" opened in London Wednesday night and yesterday virtually crowded war news off the front pages of the London dailies, according to cabled advices received by UA last night.

Christmas Basket Shows Expected to Fill 25,000

Chicago—Christmas basket shows to be given in all local film houses on the morning of Dec. 23 are expected to net sufficient gifts to fill 25,000 baskets for distribution among the needy.

Montgomery, Ala.—This city's underprivileged children will be visited by Santa with plenty of toys this year, thanks to Paramount Theater, the Girl Scouts and the city firemen.

The theater, according to annual custom, ran a special matinee where the only price of admission was a toy. Girl Scouts collected the toys and the city's firemen are repairing them. More than 500 toys were received.

Des Moines, Ia.—The sixth annual Christmas party for Des Moines shut-ins will be given Saturday, at the Paramount theater by the Tri-States theaters and Des Moines film men.

Approximately 1,600 crippled children and adults are expected.

Academy Committee To Meet on Awards

West Coast Bureau of THE FILM DAILY

Hollywood—Awards Committee of the Academy, with Walter Wanger president as ex-officio chairman, will meet on Tuesday to start the wheels turning for the annual selections. Eligible will be pictures released during the current year and publicly exhibited in the Los Angeles area before Jan. 12 next.

Wanger has announced the appointment of a number of committees to consider rules for the various 1940 technical awards, and to recommend detailed rules to be used to govern these awards this year.

Rules for the Sound Recording award will be handled by a committee under the chairmanship of John Aalberg of RKO Radio studios, assisted by Bernard B. Brown, E. H. Hansen, Nathan Levinson, John Livadary, C. L. Lootens, Thomas Moulton, Elmer Raguse, Loren Ryder and Douglas Shearer.

Membership of the other Technical Awards Rules Committees follow:

Art Direction—Jack Otterson, chairman; Lionel Banks, McClure Capps, Ernst Fegte, Cedric Gibbons, A. Goldstein, Danny Hall, Al Herman, John V. Mackay, Hans Peters and Bert Teitelbaum.

Film Editing—Harold McCord, chairman; Anne Baugh, Charles Cohn, Gene Mohrman, Murray Seiden, Blanche Sewell and J. James Wilkinson.

Cinematographic—Ray Wilkinson, chairman; John Arnold, Joseph August, Norbert Brodine, Dan Clark, Edward Cronjager, Arthur Edson, William Elington, George Folsey, Jr., Fred Gage, Merritt B. Gerstad, C. Roy Hunt, Thomas Inge, Ray June, Sidney Lund, E. B. McGreal, George B. Meehan, Jr., Russell Matty, Virgil Miller, Victor Milner, Ira Morgan, L. William O'Connell, Emil Oster, Roy Overbaugh, George Robinson, Roy Seawright, George Seid, Karl Struss, Allen Thompson, Joseph Valentine, Joseph Walker, Vernon Walker and Lester White.

Special Effect—Farciot Edouart, chairman; Fred Albin, Lionel Banks, James Basevi, John Cosgrove, John Fulton, Arnold Gillespie, Byron Haskin, Bernard Herzbrun, Kenneth Lambert, Harry Leonard, Louis Mesenkov, Jack Otterson, Elmer Raguse, Roy Seawright, Fred Seaven, Hal Shaw, James Stewart, S. J. Twining and Vernon Walker.

Thomas J. Sparrow Dead

Plant City, Fla.—Body of Thomas Joseph Sparrow, 38, was found in the manager's office of the State Theater, a bullet wound above the right temple. Coroner's verdict was suicide. Sparrow, until a few weeks ago, was manager of this theater.

20th-Fox Renews Johnson Pact

West Coast Bureau of THE FILM DAILY
Hollywood—Twentieth Century-Fox has given a new two-year contract to scenarist Nunnally Johnson. Company also has exercised its option on services of Laird Cregar.

Expect 2,000 at B & K Party

Chicago—Two thousand are expected at the annual B & K employees' holiday dinner-dance tonight at the Stevens Hotel. Many are coming from other cities.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 117

NEW YORK, MONDAY, DECEMBER 16, 1940

TEN CENTS

ONE-THIRD OF NEEDED PRODUCT NOT SOLD Allied to be Clearing House for Decree Protests

THE WEEK IN REVIEW

Warns vs. Arbitration

By L. H. MITCHELL

DOMESTIC

CONSENT DECREE: Twentieth Century-Fox issued warning to its sales personnel to avoid arbitration under the consent decree, declaring it would be expensive and consume valuable time. . . N. W. Allied proposes a five-state conference on legislation to nullify through state legislation some of the decree's provisions. . . Canadian indies want "reforms" of the U. S. consent decree made applicable to them, and not be treated as a "step-child" by U. S. distributors. Gov't assured the "Little Three" that its anti-trust suits against Schine, Griffith and Crescent circuits would be tried separately.

ASCAP: U. S. Supreme Court will review the Nebraska-Ascap case, with Tennessee expected to revoke its statute against the company. Ascap has said a definite "No" to a suggested consent decree if, as reported, the Government should take a hand in settling the Ascap-Radio dispute over music fees. Exhibs. are opposed to any attempt by Hollywood to resort to the "grand rights" angle to insure film music plugs on the air if and when the Ascap-Radio split comes.

HAPPENINGS: RKO is trimming its program, concentrating on major pix, setting 39 features for 1940-41. . . B & K was fined \$5,000, B & K Management Corp. \$2,500 and Paramount Pictures \$2,500 in the Chicago contempt case. Charge of consent decree violations against the other defendants were dismissed. . . Pressure groups in Washington reported preparing to fight for the Neely anti-block-booking bill's enactment. . . Copyright Protection Bureau announced that copyright violations in 1940 show a 2 per cent drop. . . Ross Federal Service reported upward trend of biz continuing. . . Ohio cities consider levying tax on amusements. . . Loew's cash position said up \$11,000,000 to \$28,000,000. . . Universal ready to purchase its first preferred stock, sending the stock up for a nine-point gain on Thursday.

Members Asked to File Their Complaints Based On Actual Experiences

National Allied is asking its members to file their protests based on actual experience with the effects of the consent decree to the national organization instead of sending isolated cases to the Department of Justice.

In a general bulletin made public at the week-end by General Counsel
(Continued on Page 4)

Vaudeville Demand In New England Up

Boston—Vaudeville, in connection with films, is far from dead, according to Ben Domingo, city manager for RKO, who spoke before students of Massachusetts Institute of Technology. As proof, Domingo read advertisements from innumerable tear sheets of New England newspapers.

Domingo said that practically all
(Continued on Page 6)

Kuykendall Will Speak At Kansas City Conclave

Kansas City — Ed Kuykendall, MPTOA prexy; H. M. Richey, Metro exec., and Dave Palfreyman of the MPPDA, are slated to address the one-day convention of the Kansas-Missouri Theaters Association convention here tomorrow.

Convention attention largely will
(Continued on Page 6)

New Anti-Trust Laws Urged Suits Would be Tried in Industrial Court

Three-Day Santa Fe Bally Launches Warners "Trail"

Santa Fe, N. M.—With a festival tradition dating back three centuries as a backdrop, world premiere of Warners' Santa Fe Trail, Errol Flynn-Olivia de Havilland starrer, took place here Saturday at the Lencis, Burro Alley and Paris theaters.

Here for the three-day program
(Continued on Page 6)

SCOTT DRIVE FOR FREE PIX

*Of Course, You've Heard of
"Man Bites Dog"*

Pittsburgh—Most unique Drive ever conducted in this territory has just been inaugurated by Vernon F. Scott, who operates the Scott Circuit of some 20 theaters in Johnstown, Altoona and nearby towns, in celebration of his 20 years as an exhibitor.

Scott, with a keen sense of humor, has advised the distributing companies whose product he uses of the
(Continued on Page 7)

Avoid Dissipation Of Product—Myers

At least four of "Big Five" parties to the consent decree, "will try to have two or more groups of five ready by Sept. 1," according to present indications, Abram F. Myers,
(Continued on Page 5)

Allied Polling Directors On Capital Meeting Date

Allied's directors are being polled as to choice of dates for the annual board meeting in Washington. Meeting must be held in January, but the situation is complicated this
(Continued on Page 6)

Second AID Report Says Flat Rental Prices Are The Same As Last Year

With the current selling season in its sixth month, nearly one-third of the required product has not yet been contracted for, according to the second national survey conducted by Allied Information Department. In other words, the report points out, exhibitors still have not bought nationally 32.2 per cent of the amount of product required to run their theaters, based on the total annual feature requirements of all theaters reporting, com-
(Continued on Page 6)

Warner Music Firms Check BMI Strength

Breach in the ranks of Ascap publishers may be widened considerably, it was learned Saturday, when it
(Continued on Page 5)

"Askit Basket" Assailed As Illegal Game in Neb.

Lincoln, Neb.—Charging the Nebraska theater is offering a gift enter-
(Continued on Page 6)

"Santa Fe Trail" Entertainment Hit

Warners build a railroad, dispose of the fanatical John Brown, present an interesting preamble to the Civil War and deal generally with a considerable amount of Western history in "Santa Fe Trail," highly dramatic saga which had a triple world premiere in Santa Fe, N. M., Saturday night.

There is broad and sweeping action on a grandiose scale, romantic interest, a splendid cast to make it live on the screen, skillful direction, opulent production value and an especially interesting part of our own history re-created. Certainly, exhibitors should be happy with this picture as a holiday package.

—KENNAHAN

Washington Bureau of THE FILM DAILY

Washington—Federal legislation to provide new machinery for more efficient enforcement of the Sherman and Clayton Acts is recommended to the Temporary National Economic Committee in a report prepared by Walton Hamilton, professor of law, Yale University Law School and adviser to the Anti-trust Division of the Department of Justice, and Miss Irene Till.

Report recommends to Congress
(Continued on Page 4)

THE **Jilm** DAILY

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JOHN W. ALICATE : : : : Publisher

DONALD M. MFRSERAU : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Gram 6607. LONDON—Ernest W. Fredman, The Film Review, 127-13 Wardour St., W. 1. PARIS—P. A. Harle, Le Film, 29 Rue Marceau (12). MEXICO CITY—Marco Aurelio Galindo, Depto. 215, Calle del Sincalismo, 99, Tacubaya, D. F.

FINANCIAL

(QUOTATIONS OF FRIDAY, DEC. 13)

NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Seat.				
Col. Pict. vtc. (2 1/2%)	6 5/8	6 1/2	6 5/8	+ 1/8
Columbia Pict. pfd.	5 1/2	5 1/8	5 1/2	+ 1/8
Con. Fm. Ind.	8 1/2	8 1/8	8 1/2	+ 1/8
Con. Fm. Ind. pfd.	8 1/2	8 1/8	8 1/2	+ 1/8
East. Kodak	137	135 1/2	136 3/4	+ 3/4
do pfd.				
Gen. Ed.	12	11 3/4	12	+ 1/4
Loew's, Inc.	33 1/2	32 3/4	33 1/4	+ 1/8
do pfd.				
Paramount	10 1/2	10 1/4	10 1/2	+ 1/8
Para. 1st pfd.	97 1/4	96 3/4	96 3/4	+ 1/8
Para. 2nd pfd.	10 1/2	10 1/4	10 1/2	+ 1/8
R-Film	10 1/2	10	10	+ 1/8
20th Century-Fox	6 1/2	6 1/4	6 1/2	+ 1/8
20th Century-Fox pfd.	18	17 1/4	17 3/4	+ 1/8
Univ. Pict. pfd.	122	121	121 1/2	+ 1/4
Warner Bros.	3 3/4	3 3/4	3 3/4	+ 1/8
do pfd.	56 1/2	54 1/2	56	+ 1/4

N'W YO'K POND MARKET

Keith B. F. ref. 6-45	102 1/2	102 1/2	102 1/2	- 5/8
Loew's deb. 3 1/4-45	104 1/2	104 1/2	104 1/2	- 1/4
Para. B'way 3-55	52 1/2	52	52 1/2	+ 1/4
Para. Pict. cv. 3-16-47	94 1/2	94 1/2	94 1/2	+ 1/4
Warner Bros.' dbs. 6-48	97	96 1/2	97	+ 3/4

NFW YO'K CURB MARKET

Monogram Pict.	7-16	7-16	7-16	
Sunshine Corp.	1 1/4	1 1/4	1 1/4	+ 1/8
Technical	9 1/2	9 1/2	9 1/2	+ 1/8
Trans-Lux	1	1	1	+ 1/8
Universal Cdn. vtc.	6 1/2	6	6 1/2	+ 1/8
Universal Pict.	15	15	15	+ 1/2

\$1 Extra Loew Dividend

An extra dividend of \$1 a share on the common stock has been approved by Loew's board of directors. This is in addition to another dividend of 50 cents, bringing the total for 1940 to \$3 a share, compared to \$2.50 last year.

Rites for William V. Mong

West Coast Bureau of THE FILM DAILY
Hollywood—Funeral services for William V. Mong, 65, veteran character actor, were held here on Friday. Mong died following a long illness.

The Broadway Parade

Picture and Distributor	Theater
The Letter (Warner Bros. Pictures)—4th week	Strand
Tin Pan Alley (Twentieth Century-Fox)—4th week	Roxby
The Thief of Bagdad (United Artists-Korda)—2nd week	Music Hall
Third Finger, Left Hand (Metro-Goldwyn-Mayer Pictures)	Capitol
The Lady in Question (Columbia Pictures)—2nd week	Rialto
Moon Over Burma (Paramount Pictures)	Paramount
Galant Sons (Metro-Goldwyn-Mayer Pictures)	Criterion
A Despatch From Reuters (Warner Bros. Pictures)	Globe
The Lady in Question (Columbia Pictures)—2nd week	Rialto
It's in the Air (United Artists-Dean)—2nd week	Little Carnegie
Pony Post (Universal Pictures) (a)	Central
Speed Limited (Exclusive Pictures) (a)	Central
Seven Sinners (Universal Pictures) (a-b)	Palace
The Bank Dick (Universal Pictures) (a)	Palace

♦ TWO-A-DAY RUN ♦

The Great Dictator (United Artists-Chaplin)—10th week	Astor
Fantasia (Walt Disney Productions)—5th week	Broadway

♦ FOREIGN LANGUAGE FEATURES ♦

The Baker's Wife (The Baker's Wife Co.)—41st week	World
The Great Beginning (Artkino Pictures)—4th week	Miami
Les Amoureux (French feature)	5th Ave. Playhouse
Man of the Hour (Trio Films)—4th week	55th St. Playhouse

♦ FUTURE OPENINGS ♦

No. No. Nannette (RKO Radio Pictures)—Dec. 19	Music Hall
Santa Fe Trail (Warner Bros. Pictures)—Dec. 20	Strand
One Night in the Troops (Universal Pictures)—Dec. 19	Strand
Hullabaloo (Metro-Goldwyn-Mayer Pictures)—Dec. 19	Criterion
Love Thy Neighbor (Paramount Pictures)—Opens tomorrow	Paramount
Elery Queen, Master Detective (Columbia Pictures)—Dec. 18	Rialto
Victory (Paramount Pictures)—Dec. 21	Rivoli
Kid's Crisis (Metro-Goldwyn-Mayer Pictures)—Dec. 18	Capitol
Wild Horse Range (Monogram Pictures)—Dec. 18 (a)	Central
Santita (P.M. Alliance of the U.S.)—Dec. 18 (a)	Central
The Mannerheim Line (Artkino)—Dec. 18	Miami Playhouse
Hotel du Nord (French feature) (c)	Little Carnegie
They Met on Skis (Carl Laemmle, Jr.)—Dec. 21	55th St. Playhouse
South of Sea (Wynner Bros. Pictures)—Dec. 18 (a)	Palace
Michael Shayne, Private Detective (20th Century-Fox)—Dec. 18 (a)	Palace

(a) Dual bill. (b) Subsequent run. (c) Follows current bill.

Young Reviewers Rate "Knut Rockne" as Best

Young Reviewers of the National Board of Review of Motion Pictures, and the nation-wide 4-Star Clubs, the Board's junior field groups, have voted Warners' "Knut Rockne—All American" as the year's outstanding film, it was announced Saturday.

Young Reviewers' poll precedes THE FILM DAILY's annual "Ten Best" contest, and selections are from pictures released to Dec. 1. THE FILM DAILY contest eligibility period is for the year ending Oct. 31, and pictures must be general releases.

Other winning pictures in the Young Reviewers poll—the group age limits are 8 to 18 years—are in order of preference:

"Foreign Correspondent," AT&HT, "Boom Town," "Rebecca," "The Great Dictator," "The Sea Hawk," GWTW, "Strike Up the Band," "Howards of Virginia."

Clarence A. MacDonald, Circuit Head, Died Friday

Columbus, O.—Clarence A. MacDonald, 44, head of a neighborhood circuit bearing his name, died Friday night in University Hospital of a heart ailment. Opening of his new Boulevard Theater had been postponed due to his illness. The Beechwood, a second new house, is nearing completion.

MacDonald was a director of the ITO of Ohio. Surviving are his wife and two children.

Pathe News Completes Pix Dedicated to Youth of U.S.

"The Last Stronghold" is the title of the five-reel picture just completed by RKO Pathe News for release by Films, Inc. Dedicated to the youth of America, the picture will be distributed primarily in schools and colleges.

With national defense as the subject of "The Last Stronghold," RKO Pathe received assistance on the production from the State, War and Navy Departments. Opening with a pictorial review of major events from 1914 to the present, the film shows the forces of our present ever-strengthening defense program as well as the forces against which we may be called upon to defend ourselves.

George Mills supervised the picture, James Clemenger is credited as narrator and script writer, and James Faichney was the film editor.

Moon Recalled to Stand In Midwest-Co-op. Suit

Detroit—Raymond E. Moon, former manager of Co-operative Theaters of Michigan, was recalled to the stand in the trial of Midwest Theaters suit on Friday and subjected to considerable cross-examination by attorneys for the defense. Essence of his testimony confirmed previous testimony that Co-operative deals were closed as a unit, but that no form of threat or coercion was used, according to plaintiff's counsel.

COMING and GOING

HERMAN WOBBER, general manager of distribution for 20th-Fox left for the Coast Saturday. He will not return here until after the first of the year.

NORMAN MORAY, short subject sales manager for Warners, returns to the home office today after a six-week trip which took him through all the branches and included a visit at the studio.

BUDD ROGERS, president of Alliance Films, returned to New York Friday from the Coast.

J. NOBLE BRADEN, executive secretary of the American Arbitration Association, returned over the week-end from a Western tour of exchange centers.

A. A. SCHUBART, manager of exchange operations for RKO, is in Chicago on a business trip.

H. M. RICHEY is in Oklahoma City attending the state MPCT meeting, and will be in Kansas City tomorrow for the Kansas-Missouri theater owners convention.

ELSIE PERRY, secretary to Frank Phelps, Warner Theaters labor relations director, is in Miami for a vacation.

OTTO BOLLE, managing director for 20th-Fox in South Africa, and A. R. ALLEN, JR., his newly appointed assistant, sail from New York Dec. 27 for Capetown.

ROSALIND RUSSELL is due here this week from the Coast.

FRANK DONOVAN, RKO-Pathe vice-prexy, returns to the New York office today from a 10-day business trip on the Coast.

RKO Not Set on General Or Regional Sales Parleys

West Coast Bureau of THE FILM DAILY

Hollywood—Whether RKO will hold a national sales convention this Spring or confine the study of its coming product to a series of regional meetings is a question still to be threshed out, according to president George J. Schaefer now en route to New York.

Warner Circuit Adds Princess, Donora, Pa.

Donora, Pa.—The Princess Theater, formerly operated by Harry Rubins and Thomas Shanahan, has been taken over by Warners, which now gives them three theaters locally.

New S-W Reading Leases?

Reading, Pa.—Stanley-Warner is reported dickering for new leases on both the Strand and Astor. Houses are owned by H. J. Schad.

100 "Foyle" Openings Set

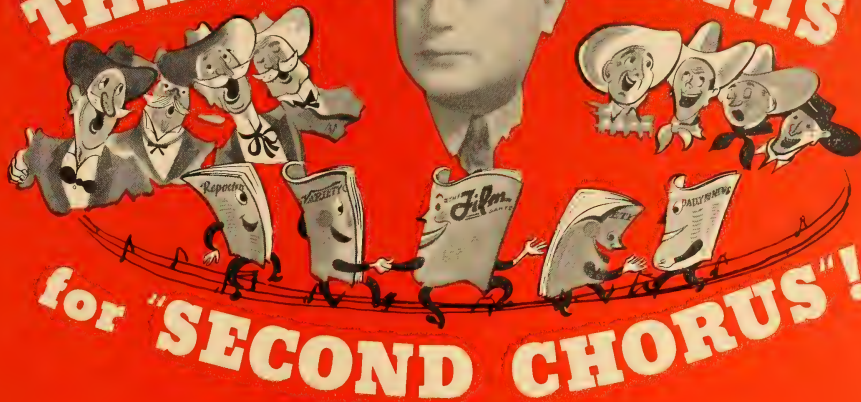
RKO's "Kitty Foyle" will open in 100 key situations on Dec. 31.



From
THE FILM
DAILY to
J. M. Kerrigan
Barbara Kent
Clyde Cook
Lily Goldin

PARAMOUNT'S "SECOND CHORUS" PARAMOUNT'S "SECOND CHORUS"

THANKS, BORIS



From every corner of the country, exhibitors, newspapers and trade papers are joining in on the chorus of praise for Producer Boris Morros, who put the first big One in "Forty-One"!

"In the box office bag. A show to thunder from the roof-tops!"

—Hollywood Reporter

"Gives every promise of attaining hit classification. Innumerable laughs!"

—Boxoffice

"Hits the right tempo for box office appeal!"

—Film Daily

"'Second Chorus' is a dandy!"

—John Chapman, N. Y. Daily News

"Perfect entertainment!"

—Karl Hohlitzelle, Pres. Interstate Theatres

"Will be one of the biggest hits of the year!"—M. A. Lightman, Malco Theatres

"Just what the public wants today!"

—R. J. O'Donnell, Gen. Mgr., Interstate Theatres

"One of the most delightfully entertaining pictures I've seen in years!"—E. X. Williams, Pres. MPTOA, Miss.

"A great picture!"

—Elmer Rhoden, Pres. Fox Midwest Theatres

"We can use more pictures like 'Second Chorus'!"

—Ed Durwood, Pres. Durwood-Dubinsky Circuit

"Looks like big box office to me!"

—John Balaban, Balaban & Katz Theatres

"Undoubtedly box office for our territory!"

—J. J. and M. Rubens, Great States Theatres

FRED
ASTAIRE

PAULETTE
GODDARD

"SECOND CHORUS"

A Paramount Picture with

Artie Shaw and his Band • Charles Butterworth

Burgess Meredith • Produced by Boris Morros

Directed by H. C. Potter • Original Story by Frank Cavett • Screen Play by Elaine Ryan and Ian McLellan Hunter



PARAMOUNT'S "SECOND CHORUS" PARAMOUNT'S "SECOND CHORUS"

New Anti-Trust Laws Are Urged

(Continued from Page 1)

the enactment of legislation to:

1. Create an Industrial Court of five or seven members with power to hear and act on all litigation to be brought by the Federal Government involving the Sherman Act and other anti-trust laws.
2. Authorize the power of subpoena to the D of J.
3. Provide heavier civil penalties for anti-trust violations, similar to the O'Mahoney-Hobbs Civil Remedies Bill offered at the last session of Congress.
4. Authorized larger appropriations for the Anti-Trust Division so that it can more effectively police on a national scale all violations of the anti-trust laws.

In urging the creation of an Industrial Court to handle all anti-trust litigation, the report says:

"Its bench of five or seven members should be as competent in the usages of business as they are learned in the law. To it should go cases concerned with the Sherman Act and the industrial codes by which it is implemented. It would determine guilt and assess fines, order dissolution and divestment, enjoin unlawful conduct. An appeal, strictly limited to questions of law, would lie only to the U. S. Supreme Court. A host of cases, now scattered throughout the courts would be gathered into a single calendar to be handled by jurists competent in matters of the national economy. In time its mounting body of decisions would come to constitute for business a flexible code of public conduct."

The report advocates increased use of "advisory opinion" and consent decrees. "They need only to be combined and to be fitted out with requisite instruments to emerge as an administrative process. Safety in the uses of such a weapon demands adequate knowledge and industrial analysis. It likewise requires a competent and continuous oversight of the operation of the trade."

Jefferson to Miami

Miami, Fla. — Tom Jefferson has taken over publicity here for Paramount Enterprises, Inc. Formerly with Schine circuit, Skouras theaters, Prudential and the New York Herald-Tribune, Jefferson comes here after almost three years in Paramount Pictures' New York office.

"Love Thy Neighbor" In 247 Spots Dec. 25

Paramount's "Love Thy Neighbor" co-starring Jack Benny, Fred Allen and Mary Martin, will have 247 day-and-date Christmas engagements, Neil Agnew said Friday. Fix has its world premiere at the N. Y. Paramount tomorrow; national release is on Dec. 27.



● ● ● THESE final weeks of 1940 are as usual.....the span given over by the film editors and critics the nation o'er.....to their collective selection by individual ballots.....of your favorite trade paper's Ten Best Pictures.....In a large number of instances.....editors and critics.....through the good offices of their publishers.....probe their readers' opinions via contests presented in the news columns.....It's a very democratic process which amounts to an unofficial referendum.....unofficial because it does not necessarily bind the balloting editors and critics to cast a vote.....corresponding to the consensus of the readers.....Too, it's all a very constructive process for the newspapers to employ.....because of the great promotional value to them.....Moreover, it is a happy situation for filmland.....because of the public interest it excites in screen entertainment.....

● ● ● BEING in the Ten Best's G.H.Q. as it were.....this corner sees and hears most of the goings-on anent each annual FILM DAILY Poll.....and, truth to tell, it's a fascinating thing not only to witness the growth of newspaper interest in the Ten Best.....but also the cities and towns in all sections of the land.....beaver-busy on their contests.....Somehow, the further removed from local Film Row.....the more glamorous events become.....Probably it's that distance lends enchantment.....But there's one nearby forest we can see regardless of the trees.....and that is a current Ten Best event in Brooklyn.....There, the Brooklyn Eagle is conducting one of the most effective and intelligently-presented contests yet to come to this corner's attention.....It's under the personal aegis of Film Critic Herbert Cohn.....He is giving fresh vitality and new and novel slants.....to contest procedure.....Witness: generously illustrating space with stills of pix which his readers might like to remember as ballot possibilities.....Employing fresh ideas in explanatory copy.....Helping the voters and potential voters to understand the several more important elements in weighing the comparative merits of features.....The do's and don'ts in judging pictures.....And even employing neat psychology on his followers by selling them on the angle that "it's fun being a movie critic".....Mister Cohn makes it a fine art.....

● ● ● FRIDAY ushered in important prelims. to tomorrow night's "hemispheric premiere" of Metro's "Flight Command" at Loew's Capitol in Washington.....via the Advertising Club there presenting to the company a scroll commending its "Civic consciousness and spirit" in connection with its activities aimed at celebration of Pan-American Aviation Day.....the highlights of the program being the said premiere and the big banquet preceding it.....Also on Friday, Pennsylvania Central Airlines' Stewardess Adeline Cox of Detroit was named "Miss Flight Command" by the National Aeronautic Ass'n.....and plans were all set for the Washington scribes to go aloft yesterday for a screening of the picture in a PCA transport plane as the ship wings to Kitty Hawk, aviation's birthplace.....

● ● ● TOMORROW night at the local Paramount.....the Jack Benny-Fred Allen-Mary Martin starrer "Love Thy Neighbor" will world premiere.....ushered-in by a whirl of varied events such as last night's Jack Benny air program, interviews and special appearances today, and tomorrow's resplendent cocktail party for the stars at the Stork Club.....The Paramount Theater will shutter at 5 p. m. tomorrow to allow for set-up of special lobby displays, radio equipment and a new stage program.....House'll light up and tickets go on sale at 7:30 p.m.....and "Love Thy Neighbor" will flash triumphantly on the screen about 9:30 o'clock.

Allied to Get All Decree Squawks

(Continued from Page 1)

Abram F. Myers, it is pointed out that the decree provides for close observation of its workings by the D of J.

"This continuing supervision by the Government," the bulletin reads, "leaves open the door of the Department for registering complaints as to abuses or hardships experienced by the exhibitors in the actual operation of the decree. The Department is convinced that the fears of the exhibitors as to possible ill effects are groundless; protests based on actual experience are quite a different thing."

"To make such protests effective," the bulletin continues, "exhibitor organizations will have to gather and compile the facts, will have to accumulate enough instances to make a substantial showing, and will have to submit these in such manner and through such channels as to do the most good."

For that reason, Myers suggests that Allied regionals call them to the attention of national Allied so that the full scope and national character of the violations can be pointed out. In this manner, it is understood that Allied will act as a clearing house for the protests.

In regard to the decree, itself, Myers contends that there is no evidence that any exhibitor group in the country, except Allied, is taking any steps to find out what the decree really means. He points to the regional Allied meetings that have made a careful study of the document and to his own analysis of the text as an example of Allied's efforts to become thoroughly acquainted with the provisions.

As to the threats of other groups to combat the decree, Myers asserts that it gave the "opportunity for a few publicity seekers to grab the limelight." But in less than one month, he continued, after the signing of the decree the situation "reminds us of the Night Before Christmas—not a creature is stirring, not even a mouse." Those who were going to perform mighty deeds have faded out of view, or have found some new toy to play with."

Pollak's Company Moves

Theater on Film, Inc., Joseph Pollak's new company, moves today to 1619 Broadway.

Md. Censor Fees May Jump Dollar

Baltimore—A Legislative committee, created as a major reform in Maryland's ancient lawmaking system, is ready to recommend to the State Legislature a bill which would raise censorship fees from \$2 per reel to \$3. It will also recommend that the censor board be given jurisdiction over itinerant exhibitors operating with motor vehicles.

Warner Music Firms Check BMI Strength

(Continued from Page 1)

became known that Harms, Witmark and Remick, Warner Bros. music publishing firms, are currently conducting a survey throughout the East to determine the exact status of BMI as opposed to Ascap in radio stations, hotels, cafes and cabarets. Each firm has two men out on the road making the survey.

The men are under instructions to contact every music outlet in each of the cities on their itinerary, to eliminate discussion about the firms' music, but to determine in every case just what outlets for Ascap music will be available, and what outlets will back BMI in the dispute.

It is believed that the action fore-shadows a move by Warners to desert Ascap if they find a predominance of BMI outlets. It is likely that they would form their own copyright organization in this event, and controlling some 40 per cent of the popular music of the day the Warner combine could become one of the strongest in the field if they decide on such a move. Warners dropped their Ascap affiliation once before.

Richker Suit Against Interstate Is Settled

Dallas—Settlement out of court is disclosed of the damage suit brought against Interstate and Karl Hoblitzelle by Louis Richker. Three other actions filed as a result of the Government's victory in an anti-trust suit against Interstate are slated for January trial here in Federal Court.

H. N. Jorgensen case will be heard by Federal Judge William H. Atwell on Jan. 13, that of Sam Kirscheimer on Jan. 15 and that of R. Z. Glass on Jan. 20.

20th-Fox Buys Mystery Story

West Coast Bureau of THE FILM DAILY
Hollywood—Twentieth Century-Fox has bought an unpublished mystery novel by Richard Burke, "The Dead Take No Bows." Stanley Raugh will write the scenario as a vehicle for Lloyd Nolan.

Judy Garland Vehicle

West Coast Bureau of THE FILM DAILY
Hollywood—Metro is negotiating for rights to "Strange Things Can Happen in Brooklyn" by Daniel Fuchs. Story is sought as vehicle for Judy Garland.

GWTW Potentialities

Poll which forecast a potential 50,000,000 audience for GWTW when generally released found support at the anniversary premiere in Atlanta. Metro home office disclosed Friday that a check of the audience showed more than 70 per cent were seeing the film for the first time.

REVIEWS OF SHORT SUBJECTS

"Popular Science"

Paramount 10 mins.
Interesting and Entertaining

Any audience will find this subject interesting, entertaining and educational. Opening sequence shows the amazing new vegetable and flower creations of Fred Goff, a midwesterner.

Rubber hydrochloride, a new technical achievement, is seen in some of the many uses it is being put to. Professor Oakes, the wily wizard of Waukesha, comes up with another crackpot invention. Dust explosions are investigated by the Chemical Engineering Division of the Department of Agriculture, and the development and use of contact lenses is shown.

"Information Please"

RKO-Pathé 10 mins.
Funny and Entertaining

This release is one of the best in the series. The regular staff of experts, John Kieran, Franklin P. Adams and Oscar Levant, are augmented by writer Louis Bromfield. The material used is excellent and here is more spontaneous and infectious humor in this issue than is usually found. The experts muffle a couple of questions, but come out on top in the long run. Frank Donovan was the producer.

Telenews Theater Will Be Erected in Detroit

Detroit—The Michigan News Reel Co., Inc., has just signed a lease for property situated at 1540-42 Woodward Ave., and will erect another Telenews newsreel theater. Same interests operate theaters in Chicago, San Francisco and Cleveland.

Plans are being drawn by Cyril Edward Schley, Detroit theater architect, and construction will begin soon after Jan. 1.

Officers of the Michigan News Reel Company, Inc., are Herbert Scheffel, president, and Alfred C. Burger, secretary.

News From RKO Studios

West Coast Bureau of THE FILM DAILY
Hollywood—Edward Donohue has been tabbed as assistant to Director Irving Reis on "Show Business" at RKO Radio, the Alan Mowbray-Donald MacBride comedy which rolls on Monday. Howard Benedict will produce. Morton Grant and Arthur V. Jones have completed script of Tim Holt's "Range Robbers." Jerry Cady has returned from a two weeks' stay at the Circle Z Ranch near Nogales, Arizona, where he completed the screen adaptation of "Repent at Leisure." Benny Rubin has been signed for a role in "Sunny," and James Craig for second lead in "Kitty Foyle."

For Sonja Henie Film

West Coast Bureau of THE FILM DAILY
Hollywood—Glenn Miller and his band have been signed by 20th Century-ox for Sonja Henie's next picture.

"Bring Himself Back Alive"

Paramount 7 mins.
Poor Cartoon

This subject is very short on laughs. The character created for the principal role has possibilities, but the material in the remainder of the short stifles the humor. Hyde Skinner, a jungle trapper, sets out on his rounds. He lays a trap for a lion, but the lion reverses the position and Skinner gets blown up. A fairly funny gag involves a turtle used by Skinner as a means of transportation.

"Snow Fun"

RKO-Pathé 9 mins.
Interesting Winter Sports

Filmed at Lake Placid, mecca of New York winter sports enthusiasts, this reel is interesting and inviting. It depicts the numerous activities available for visitors at the winter resort, including skating, ski-joring, skiing, bob-sledding, sulky racing on a frozen lake and mushing behind dog teams. Reel is interesting, the material is well selected, and it should serve to put an audience's mind on winter sports and more winter sports. Frank Donovan produced.

Purdy Complaint Against Carroll Held Insufficient

Rochester—Holding the complaint failed to state facts sufficient for legal action, Supreme Court Justice Benn Kenyon has dismissed the suit filed last month by Mrs. Florence L. Purdy, Ithaca, to void a two-year lease under which H. G. Carroll Theater Inc. operates the Strand Theater.

While quashing with \$10 costs the suit as against the Carroll firm and its president and general manager, Howard G. Carroll, Justice Kenyon gave Mrs. Purdy 20 days to amend her complaint. Mrs. Purdy's attorney said she will appeal the ruling or serve an amended complaint.

Suing as a minority stockholder of the estate of Kate C. Curtis, Inc., owner of the Strand Theater building, Mrs. Purdy demanded an accounting and that the lease and any other agreements between the estate corporation and the Carroll corporation be declared fraudulent and void.

Start Next "Hardy" Pix

West Coast Bureau of THE FILM DAILY
Hollywood—Metro will start its next in the "Hardy" family series this week with Kathryn Grayson, 16, added to the cast. Title is "Andy Hardy's Private Secretary." Katherine Brush wrote the story and George Seitz will direct.

Warners Assign Howard

Hollywood—Warner Bros. has assigned William K. Howard to direct "Bad Men of Missouri," after having tentatively assigned two other directors to the film.

Avoid Dissipation Of Product—Myers

(Continued from Page 1)

Allied general counsel, says in a bulletin issued over the week-end.

Myers states that to accomplish this, some companies may elect to deliver the minimum number of pictures under current contracts. To avoid a possible product shortage, and to give exhibitors breathing time in buying, Myers advises, "Save some pictures for a rainy day."

"Extended playing time on strong pictures may be a good policy for more reasons than one," he emphasizes.

Myers points out that at all Allied regional meetings where the decree has been discussed "it was developed that there are some exhibitors who have lost a particular run of pictures and want to regain it, or who want to obtain some run of pictures, or who have clearance troubles, to whom the decree affords an opportunity to arbitrate their problems."

"It is idle to suppose that these exhibitors will boycott the decree and refuse to institute arbitration proceedings thereunder," he adds.

Discussing the selection of Robert L. Wright, special assistant to the Attorney General, to head the D of J's industry "watchdog" unit, Myers observes the selection "will evoke no cheers from the exhibitors," but says he "is acquainted with all the details of the situation and from that standpoint is well equipped for the work."

Mexican President Will See "Flight Command"

Mexico City (By Air Mail)—President Manuel Avila Camacho of Mexico will attend a special preview of Metro's "Flight Command" tomorrow night, accompanied by his cabinet and Latin-American ambassadors.

Metro Options Opera Star

West Coast Bureau of THE FILM DAILY
Hollywood—Metro has taken an option on the services of the new Metropolitan Opera star, Rise Stevens.

Irregular Shipments Hit Rock's Theaters

Gibraltar (By Air Mail)—The Rock's film theaters, coping with war time conditions, have decreased the number of performances and prolonged feature runs. Irregular film shipments and drop in patronage, due to evacuation of some 12,000 civilians, are major factors. Ten p.m. curfew is in effect. The Rock's houses are now using 150 features annually, a decline of about 50 per cent. U. S. product accounts for some 75 per cent, British, 25 per cent.

One-Third of Needed Product Not Sold

(Continued from Page 1)

pared with the total number of features bought. In terms of playing time, exhibitors have only bought sufficient product to operate their theaters for eight months of the year, the report says.

The AID report further asserts that an analysis of prices paid for flat rentals and guarantees for the 1940-41 season compared with last year proves that a vast majority of the exhibitors are closing their flat rental and guarantee deals for the same or for less money than last year.

Charts Show Survey Results

Results of the survey are set forth in a series of 10 charts, each showing a buying or selling situation on a national and territorial basis.

The various charts reveal the following data, based on cards received from independent exhibitors, in addition to the information printed above:

(A) Of all the pictures sold nationally, slightly more than 12 per cent of the total were on percentage and slightly less than 88 per cent were flat rental.

(B) The report claims that, with the exception of Metro, the distributing companies sold all flat-rental contracts, discounting contentions of some companies that national sales policies require exhibitors to buy some pictures on percentage. Figures based on the total number of contracts reported show nationally that 42 per cent of the contracts were sold all-flat and 58 per cent were sold with some percentage figures.

Few Paid 50 Per Cent for One Film

(C) Very few exhibitors paid 50 per cent for one picture, the majority of these assertedly in non-Allied territories.

(D) The report alleges that during the 1939-40 season, it was generally understood that where a guarantee was applied against percentage, preferred time was to be eliminated. A chart on this subject purports to show that the majors continued to require guarantees from exhibitors and, in addition, allegedly forced preferred playing time.

Deviations from Policy Charged

(E) Wide deviations from announced sales policies are claimed, with Metro varying the least. It is pointed out that United Artists, Monogram and Republic had no announced sales policies.

(F) Based on the total number of contracts sold, Metro permitted the greatest cancellation privileges.

(G) Report alleges that nearly 47 per cent of all short subject contracts nationally were forced and in one territory the figure reaches 75 per cent.

6.6 Per Cent of Exhibs. Unsigned

The AID analysis further contends that 6.6 per cent of the exhibitors reporting have yet to sign any con-

Royal Air Force Raids Forcing Berlin's Film Theaters to Observe 8:30 P. M. Curfew

Berlin film theaters now observe an 8:30 p.m. curfew as a result of Royal Air Force raids, according to a United Press cable story by its Berlin staff correspondent, Richard C. Hottelet. Story asserts that houses are well attended, with advance purchase of seats necessary.

German studios, Hottelet says, are rushing a large number of anti-British films, including subjects covering the Boer War, the Irish question and espionage. Several war documentaries paralleling "Baptism of Fire" are slated for early release. At the present time, three anti-Semitic films are running in Berlin.

"Askit Basket" Assailed As Illegal Game in Neb.

(Continued from Page 1)

prise, in violation to the state anti-Bank Night law, County Attorney Max Towie filed suit against R. W. Huffman, city manager of the Lincoln Theaters Corp., and the Nebraska manager, Gene Shanahan, in Municipal court.

Target is the theater's quiz program, "Askit Basket," a stunt by which a country storekeeper (Huffman) asks questions, and if they're answered correctly, hands them out groceries. If the question isn't answered, there is no prize. Program has been going two months.

Quebec Province Outlaws Bingo and Other Games

Montreal—Bingo and games, even under charitable or religious auspices are no longer to be tolerated in this province, it is announced at the Attorney General's Department. Instructions have been issued to law officers to enforce Article 236 of the Criminal Code.

Protests have been flowing in from the Retail Merchants' Association and individuals who have seen an abuse creeping in with tremendous amounts of money going for Bingo and other chance games.

Interstate Fort Worth Houses in Car Giveaway

Fort Worth, Tex. — With Buck Nites out at Fort Worth Interstate Circuit theaters' seven houses are now giving away a Ford in tie-up with local car agency. Drawing will be held at the Worth Theater on Dec. 28.

tracts whatever for the 1940-41 product. It also asserts that an examination of the survey cards reveals that exhibitors in organized territories paid a lower percentage of the gross for film than did exhibitors in non-organized areas. This also holds true, the report declares, when the buying of members of exhibitor organizations is compared with that of non-members of the same territory.

A third AID report is being prepared and probably will be ready for release in late January. Sidney Samuelson is chairman of AID. Its other members include Arthur K. Howard, Don Rossiter, P. J. Wood and Abram F. Myers, counsel.

Allied Polling Directors On Capital Meeting Date

(Continued from Page 1)

year because Jan. 20 is Inauguration Day and the crowds that storm the Capital make it unadvisable to hold the sessions on Jan. 19, 20 or 21, according to Abram F. Myers, general counsel. Myers points out that a meeting called just before or just after those dates would enable those directors who want to attend the ceremonies to do so strictly on their own.

Sidney Samuelson wants the meeting to be held as late in the month as possible so that another product survey can be submitted by the Allied Information Dept. Usually the meetings are held in mid-January and extend two days. Samuelson has suggested that the sessions next year last three days.

Kuykendall Will Speak At Kansas City Conclave

(Continued from Page 1)

be centered upon the consent decree in the New York equity suit, and a large turnout of exnibs. is expected as a result.

Sessions will be held at the KMTA's headquarters, 221 W. 18th St. Convention luncheon is set for the Variety Club.

Election of officers will take place. Frank Cassil is the retiring president.

Sunday Theater Donations Cut Due to House Damage

St. Johns, N. B.—Exhibs. in the Maritime provinces who have been donating the use of their theaters, lighting, ushers, stages, etc., for Sunday night patriotic gatherings for war welfare, loan, savings stamps, campaigns, are turning thumbs down.

With no admission fee, a silver collection only being allowed, under the Sabbath observance laws, there has always been a crush when the doors opened. Result has been considerable damage to floor coverings, seats, walls, and doors.

"Santa Fe Trail" at Strand

Warners' "Santa Fe Trail," starring Errol Flynn and Olivia de Havilland, has been booked into the Strand Theater for a two-week period starting Dec. 20.

Vaudeville Demand In New England Up

(Continued from Page 1)

of the leading film theaters in Maine are using vaudeville a great part of the time and that many of the suburban theaters of Boston are booking vaudeville acts for at least split weeks or for week-ends.

"There is plenty of booking time remaining for vaudeville artists who really are worth their salt," said Domingo, "and to prove it let me show you that many of the leading vaudeville performers—and there are just as many headlines now as in those often-sighed-for golden days—have solid bookings for many weeks to come.

"Theaters throughout New England are playing six vaudeville acts and a feature film and making a nice go of it, too. No, vaudeville is far from dead, it's more often the managers who are so, for they can—and many of them do—learn to book vaudeville with the pictures so intelligently that a perfect set-up results and attendance will be greatly boosted."

The George A. Hamid offices locally confirmed the statement made by Domingo. Offices here book vaudeville acts daily in ever increasing numbers, according to Paul Denish Hamid's New England manager.

Three-Day Santa Fe Bally Launches Warners' "Trail"

(Continued from Page 1)

were 25 film "names," 185 newspaper critics, magazine and trade paper editors, feature writers, news commentators, radio and newsreel men, plus a contingent of Warner executives topped by Charles Einfeld, Joseph Hazen and Mort Blumenstock.

A 20-car special train brought the East-West visitors here Friday to participate in a crowded agenda which started with the crowning of Olivia de Havilland as Queen of Santa Fe and a Friday the Thirteenth Fandango. Governor's Grand Ball was held Friday night.

Opening Saturday was preceded by a sports carnival at the Santa Fe Skid Club and pioneer parade. Premiere saw stellar p.a.s. at all three houses. Jubilee Ball followed. Program closed yesterday with a farewell parade.

Terry's Shorts Program For 20th-Fox 50% Ready

Paul Terry's cartoon staff has completed half of its year's program of Terry-Toons for 20th Century-Fox distribution. "The Snow Man," "The Temperamental Licn," "What a Little Sneeze Will Do" and "Hairless Hector" carry the Terry-Toons to the season's half way mark.

The pictures so far have been divided equally between Technicolor and black and white subjects, an increase over last year in the color subjects. Four other cartoons are in work at the New Rochelle studios

«REVIEWS»

"Santa Fe Trail"

with Errol Flynn, Olivia de Havilland,
Raymond Massey

Warners 110 Mins.
EXCITING HISTORICAL SAGA IS CORKING ENTERTAINMENT FOR ALL AUDIENCES: SHOULD BE A BIG WINNER AT THE B.O.

Warners build a railroad, dispose of the mathematical John Brown, present an interesting preamble to the Civil War and deal generally with a considerable amount of Western history in "Santa Fe Trail," highly dramatic epic saga which had a triple world premiere in Santa Fe, N. M., Saturday night.

There is broad and sweeping action on a grandiose scale, romantic interest, a splendid cast to make it live on the screen, skillful direction, opulent production value and an especially interesting part of our own history re-created. Certainly, exhibitors should be happy with this picture as a holiday package.

It has three big names for marquee purposes, an excellent supporting cast studded with able and well-known players, while the picture itself is pure entertainment. It readily lends itself to exploitation on the basis of its historical background, and it is equally if not better than preceding "epics" Warners have produced along the same general lines with the Flynn-de Havilland team. Robert E. Lee, Jeb Stuart, George Custer, John Brown, Phil Sheridan, Jefferson Davis, George Pickett and James Longstreet are a few of the characters in the story that will strike a responsive chord in the hearts of all Americans.

A prophetic warning that the Civil War is virtually inevitable is also worked into the story via several media. Notable among the characterizations is the interpretation of John Brown by Raymond Massey. He makes the fanatical abolitionist live, burn, and preach his faith and cause in a fiery and completely convincing style. Flynn appears to advantage as Jeb Stuart, good-looking, personable, never over-acting and making the role convincing. Miss de Havilland is attractive and able as the principal romantic interest in the piece.

Ronald Reagan, Alan Hale, William Lundigan, Gene Reynolds, Guinn "Big Boy" Williams, Alan Baxter, John Littel, Moroni Olsen, Joe Sawyer, Hobart Cavanaugh, Ward Bond, Russell Simpson, Erville Alderson and Spencer Charters are all prominent in the cast. For a supporting cast there has seldom ever been assembled such an imposing array of talented character actors, all of whom are excellent.

Direction by Michael Curtiz is fine. Curtiz moves his big action scenes with pace and sweeping motion that is eye-arresting, and he handles other phases of the picture with equal ability. Credit for the smoothly rolling original screenplay goes to Robert Buckner. The splendid production value is edited to Jack L. Warner, Hal B. Wallis and associate producer, Robert Fellows. Max Steiner's music rates a hand, and a splendid job of photography was turned in by William Polito.

The story opens at West Point in 1854. John Heflin, a disciple of John Brown, Massey, has been causing trouble at the Academy. He is discharged after a fist fight with Flynn, and Flynn and his six friends who were involved in the brawl set out to liberate the Kansas territory after their graduation by Robert E. Lee, Moroni Olsen, who is commanding officer of the Academy, and the soldiers meet up with Brown and

SCOTT DRIVE FOR FREE PIX

Of Course, You've Heard of
"Man Bites Dog"

(Continued from Page 1)

Scott Drive for Free Pictures, stating that he has always co-operated to the fullest extent in their drives by giving extra playing time, advance payments, etc., and anticipates the same co-operation from them. His Drive, Scott says, will be conducted along the following lines:

All exchanges to supply at least one free picture for each of his theaters. He in turn will purchase from them a one-sheet to be placed in front of his theaters while showing that particular company's picture, and will also run a trailer on his screens for one week showing which company produced the picture. The exchanges participating will not be allowed to loan or advance any monies but will be permitted to suspend payment for all product during Holy Week, he to make payment for this service at the end of the Drive on July 5. None of his employees are to receive prizes, and he is to derive the full benefit of this Drive. He expects to finish in first place nationally, and at the end of the Drive will hold a ceremonial dinner at \$15 per plate, of which 75c will be used for food and entertainment and the balance will be used for a vacation for him to recuperate from the hardships of this phenomenal Drive.

Scott further stated that he feels it is his duty to include all the exchanges serving him and their home offices in this special Drive so that they can show to the world the gratitude they feel for the hundreds of thousands of dollars he has paid for shows during the past 20 years.

Novarro In Auto Accident

West Coast Bureau of THE FILM DAILY

Hollywood—Ramon Novarro was seriously injured in an auto accident.

His men. Flynn and Reagan fall for Miss de Havilland and action starts rolling at a fast clip. Brown, thought broken forever, has disappeared from the scene and the state is peaceful. Flynn and Reagan get promoted, Miss de Havilland promises to marry him, but Brown and the Harpers Ferry incident crop up before the marriage takes place in a car of the first train to travel the new Santa Fe road.

CAST: Errol Flynn, Olivia de Havilland, Raymond Massey, Ronald Reagan, Alan Hale, Van Heflin, Gene Reynolds, Henry O'Neill, Guinn "Big Boy" Williams, Alan Baxter, John Littel, Moroni Olsen, David Bruce, Hobart Cavanaugh, Charles D. Brown, Joe Sawyer, Frank Wilcox, Ward Bond, Russell Simpson, Charles Middleton, Erville Alderson, Spencer Charters, Suzanne Carnahan, William Marshall, George Haywood.

CREDITS: In charge of production, Jack L. Warner; Executive Producer, Hal B. Wallis; Associate Producer, Robert Fellows; Original Screenplay, Robert Buckner; Camera-man, Sol Polito; Editor, George Amy. DIRECTION, Fine. PHOTOGRAPHY, Excellent.

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THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 118

NEW YORK, TUESDAY, DECEMBER 17, 1940

TEN CENTS

U. S. HINTS ASCAP CONSENT DECREE NEAR Ohio ITO to Ask Federal and State Bingo Levies

Exhib. Asks Members To Supply Data for Drive for Enactment of Tax Acts

Columbus, O.—The ITO of Ohio is preparing to ask State and Federal tax legislation for Bingo and similar games, according to a service bulletin to members issued by Pete J. Wood, secretary.

Wood asks members to investigate and ascertain just what Bingo games are being operated in their vicinity by church, fraternal and veteran organizations and report on a specially prepared form.

The ITO exec. points out that the b. o. intake is not keeping pace with

(Continued on Page 3)

S. R. Kent's Brother Killed in Car Crash

West Coast Bureau of THE FILM DAILY

Hollywood—Ernest Kent, brother of Sidney R. Kent, was killed yesterday morning in an automobile accident on Hollywood Boulevard. Kent, who was 59, was an executive with Fox West Coast Theaters. He is survived by his mother, his wife, three brothers, Sidney, Larry and Arthur, and a sister, Mrs. Olive Barber. Car he was driving crashed head on into another car when it skidded, killing Kent instantly.

Funeral arrangements await arrival of his brother, Sidney R. Kent, who left New York last night and is due here Thursday.

Bomb Breaks Windows In Brit. Technicolor Labs.

Technicolor's British laboratories had a close call recently when a Nazi aerial bomb landed in comparatively close proximity, it was learned yesterday. All windows in

(Continued on Page 5)

End of Romance?

Albuquerque, N. M.—On the marquee at the Rio Theater:

"Hold That Woman"

"I'm Nobody's Sweetheart Now."

Paramount Is First With Xmas Bonus

First Christmas bonus of the season in the film industry proper has been handed out by Paramount. Company gave a week's bonus to all employees making up to \$65 per week, with maximum \$50. Maximum this year was 20 per cent increase over last year. Metro and Warners are also reported mulling the bonus situation.

Ill. Legislature May Get Censorship Bill

Springfield, Ill.—Illinois Legislature which convenes in January may be asked to enact a State Censor Board measure as a result of the controversy over municipal censorship in Chicago. Rep. Elmer Sandquist is reported considering slipping such a bill into the hopper.

Sandquist also is studying various state tax plans, including the Nebraska proposal for a cent tax on all admissions.

Fox-Wisconsin Wins Suit Brought by Annenberg Co.

Milwaukee—Circuit Judge Gustav G. Gehrz yesterday ruled in favor of Fox-Wisconsin Amusement Corp. in the action brought against it by the M. L. Annenberg Investment Co., charging Fox-Wisconsin with breach of contract in the manage-

(Continued on Page 6)

16 Service Features in Cycle "Flight Command" First; Comedies on Draft

Dietz in Washington For "Command" Dinner

Howard Dietz, executive in charge of promotion for Metro, left yesterday for Washington, where he will be master of ceremonies at the "Flight Command" banquet tonight at the Hotel Carlton that will precede the "hemispheric pre-

(Continued on Page 6)

Ascaph to Give Opinion of Blanket License or Paying Fees on a "Per Use" Basis. It is Understood; Pact Also to Include Provision for Clearance at Source

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY

Washington—Despite Ascaph denials, reports that the Justice Department and the Society were negotiating a settlement, were more persistent than ever yesterday.

No Industry Reps. On AAA Directorate

Abram F. Myers, general counsel of Allied, has been advised by the American Arbitration Association that in view of long established policies, "there will be no appointments to our board of directors or advisory committees of any persons known to be connected with the motion picture industry and no appointments have been made."

Myers was so advised when the general counsel asked the AAA as to the authenticity of a report that R. C. Patterson chairman of the board of RKO, was scheduled to become a member of the AAA board.

Equity Boosts Its Dues To Limit Membership

In a move to limit the membership of Actor's Equity Association and protect members of long standing from an influx of people who are seeking stage jobs now that Equity has boosted the minimum per week

(Continued on Page 7)

Reports here have it that the D of J and Ascaph have reached a tentative agreement under which the old Government suit against Ascaph in New York will be dropped and Ascaph will revise its fee structure.

According to a spokesman at the Department, the District Court for the Southern District of New York will be handed a consent decree for approval which will dismiss the Government charges.

Broadcasters will be given the option of signing either a blanket contract or take out a license on a "per use" basis.

It is also said the agreement in-

(Continued on Page 7)

Trouble Under Decree, Kuykendall Warns OTO

Oklahoma City — "Nothing but trouble is to be expected for exhibitors from the consent decree," Ed Kuykendall, MPTOA prexy, told 150 exhibitors attending the Annual Convention of Oklahoma Theaters Owners, Inc., at the Skirvin Hotel

(Continued on Page 3)

Judge Campbell Will Hear Stadium Dismissal Motion

Chicago — Defendants' motion to dismiss and strike in the Stadium Theater trust case will be held before Federal Judge William Campbell instead of Judge Wilkerson. It

(Continued on Page 3)

Marquee Criticism?

New Orleans — Critical opinion had its say with a vengeance on the marquee of the Circle Theater here with the following:

"5 Little Peppers at Home"

"Victoria the Great"—4 Turkeys

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DONALD M. MERSEREAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Monday, Dec. 16)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	8 1/4	8 1/4	8 1/4	1/2
Col. Pict. vcs. (2 1/2%)	6 1/2	6 1/4	6 1/4	3/8
Columbia Pict. pfd.				
Con. Fm. Ind.	8 1/4	8 1/4	8 1/4	1/4
Con. Fm. Ind. pfd.	13 3/4	13 1/4	13 1/4	2 1/4
East. Kodak				
do pfd.				
Gen. Th. Eq.	12	11 3/4	11 3/4	1/8
Loew's, Inc.	33 3/8	33 1/8	33 1/8	1/2
do pfd.				
Paramount	10 3/4	10 1/4	10 1/4	1/4
Para. 1st pfd.	97 1/4			
Para. 2nd pfd.	10 1/4	10 1/4	10 1/4	1/4
Pathe Film	10 1/4	10 1/4	10 1/4	1/8
RKO	3 3/8	3 1/2	3 1/2	1/8
RKO 5c pfd.	43 1/2	43 1/2	43 1/2	1/2
20th Century-Fox	6 1/2	6 1/2	6 1/2	1/4
20th Century-Fox pfd.	18 1/8	18 1/2	18 1/2	1
Univ. Pict. pfd.	120	118	119	1
Warner Bros.	3 3/8	3 1/2	3 1/2	1/8
do pfd.	55	55	55	1

NEW YORK BOND MARKET

Keith B. F. ref. G46				
Leew's deb. 3 1/2% 46	104 1/2	104 1/2	104 1/2	1/2
Para. B-way 3 1/2%	52	52	52	1/2
Para. Pict. cv. 3 1/2% 47	95 1/4	95	95 1/4	3/8
Warner Bros. db. 6 1/2% 47	96 1/2	96 1/2	96 1/2	1/2

NEW YORK CURB MARKET

Monogram Pict.	1 1/4	1 1/4	1 1/4	1/4
Sonotone Corp.	1 3/4	1 3/4	1 3/4	1/4
Technicolor	9 1/4	9 1/8	9 1/8	1/2
Trans-Lux				
Universal Corp. vtc.	5 1/2	5 3/4	5 3/4	1/8
Universal Pict.	15 3/4	15 1/2	15 1/2	1/2

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. 4 1/2%	65 1/2	65 1/2	67 1/2	
Roxy Thea. Bldg. 4s 1st 57	60 1/2	60 1/2	64	

Defer George Skouras Case

Trial of George Skouras and other defendants was postponed yesterday until Dec. 23 on the request of both the Government and the defendants.

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"Fix" Charge to Block Theater License Denied

Minneapolis, Minn.—David Gillman, picture theater operator here who seeks a license to re-open the Gayety, former burlesque house, with a "grind" film policy, tossed a bombshell into a city council license committee session when he charged that Harry Dryer, operator of the Bijou, across the street from the Gayety, had told him he "had it fixed" so Gillman could not get a license.

Gillman added that Dryer also had "told every picture theater operator in town" that no license would be issued to re-open the Gayety as a picture house.

Summoned by the committee, Dryer denied the "fix" charge but admitted he "would do all in his power" to prevent issuance of a Gayety license. He said he would re-open the Lyra, which adjoins the Bijou, even if he had to operate it at a loss, if the Gayety re-opens. The Lyra has been closed two years.

Fred H. Strom, executive secretary, Independent Theater Owners Association of the Northwest, told the committee that a poll of Minneapolis theater owners showed emphatic opposition to issuance of a license for the Gayety.

With only six of the seven committee members present, vote on a motion to grant the license was three to three, leaving the snarling in the lap of the Council itself to settle.

Dan Thomas to Direct "U" Studio Publicity

West Coast Bureau of THE FILM DAILY Hollywood—Dan Thomas has been placed in charge of Universal's studio publicity, in a realignment of the setup resulting from Dave Lipson's shift to Columbia as director of publicity and advertising. Eugene Murphy will supervise the sales and exhibition activities of the publicity department. Appointments were made by John Joseph, Universal's advertising and publicity chief.

Lipson will remain in Hollywood for two weeks to confer with Lou Smith, Columbia studio publicity director, before heading for New York.

Markey to Produce Three Under Columbia Contract

West Coast Bureau of THE FILM DAILY Hollywood—Gene Markey will produce three features for Columbia under his ticket with that studio.

Columbia has also placed James Whale, director, under contract.

Ware to Tax Theaters 10% of Gross "Take"

Ware, Mass.—The Board of Selectmen here has changed the method of taxing theaters. Instead of a flat \$25 fee, the theaters in 1941 will be charged 10 per cent of the gross receipts.

Braden to Visit Chicago, Minneapolis, Milwaukee

J. Noble Braden, executive secretary of the American Arbitration Association, left yesterday for Minneapolis, Milwaukee and Chicago to continue his selection of prospective arbitrators and board clerks, preparatory to the establishment of the film industry's arbitration system. He expects to wind up his nationwide tour of exchange centers by Jan. 5.

Bookers Club Re-Elects Harold Klein President

The Motion Picture Bookers Club met last night at the Hotel Lincoln and elected the following officers:

President, Harold Klein (re-elected); vice-president, Leon Greenfield; treasurer, Benjamin Levine; financial secretary, Peter Soglenbeni; recording secretary, Pearl Elsohn; sergeant-at-arms, Moe Rose. Members of the board of directors are: Bernie Brooks, Jack Gelber, Jeanette Dennett, Max Fried and Harold Margolies.

Wants \$100,000, Claiming Photo Used in Col. Film

Minnie Saltzman-Stevens, former opera singer, filed suit yesterday in the New York Supreme Court against Columbia Pictures for \$100,000 damages. She contends that Columbia used her photograph without her permission in the film "I'll Take Romance." Columbia has raised a general denial.

New York Film Board Will Elect Before Christmas

New York Film Board of Trade will hold its annual election of officers before Christmas although the date has not been set. Jack Bowen, president, will not be eligible for re-election because of his recent promotion to the post of M-G-M district manager.

Invite Radio Execs. To Pix Charities Luncheon

West Coast Bureau of THE FILM DAILY Hollywood—As a further move in the film industry's program to unite all factors of the entertainment world behind worthy charitable causes, Samuel Goldwyn, chairman of the industry's permanent charities committee, has invited all radio station and radio program managers to a luncheon tomorrow.

In Civilian Air Reserve

Walter Reade, Jr., of the Walter Reade Circuit, and Harry Fellerman, Universal salesman, are the newest film industry recruits in the Civilian Air Reserve in this area, it was announced yesterday by Lester S. Tobias, adjutant of the C.A.R. for the N. Y. area. Reade has already completed a number of hours toward a license and Fellerman starts his primary training course shortly.

COMING and GOING

SIDNEY R. KENT left last night for Hollywood, called there by the death of his brother, Ernest Kent, in an auto accident.

JAMES R. GRAINGER, Republic proxy, left New York yesterday for Chicago, Des Moines, Omaha and San Francisco, and will spend Christmas with his family in Hollywood.

WALTER IMMERMANN, B & K manager, is in New York and may set the opening date for the second run here of GWTW.

WALTER VINCENT, vice-president, Wilmer & Vincent, is in Richmond, conferring with Frank O'Brien, city manager.

HOWARD DIETZ left yesterday for Washington.

WILLIAM R. FERGUSON, Metro exploitation manager, has returned from Atlanta.

F. J. A. MCCARTHY, Eastern division sales manager for Universal, left last night for Toronto.

HAMILTON C. RICKABY, attorney for Atlas Corp., and MRS. RICKABY, arrived yesterday on the Santa Elena from West Indies cruise.

ROBERT COBB, Brown Derby manager, is at the Waldorf.

JACK BENNY and his wife, MARY LIVINGSTON, are at the Sherry Netherland.

ERICH REMARQUE has arrived from the Coast.

FRANK DONOVAN, vice-president of RKO-Pathe, has returned to the home office from Hollywood.

BORIS LEVEN, art director on "Second Chorus," left New York yesterday for Austin, Texas.

EDWIN GILBERT leaves for the Coast next month to start work at Warners on a writing assignment.

ROSARIO and ANTONIO, Spanish dancers, have postponed their trip to the Coast until January 1. After they complete work in a film in Hollywood during January they will return to the Waldorf, where they are currently appearing in the Sert Room.

HERBERT J. YATES returned from the Coast over the week-end.

ANNA NEAGLE leaves the Coast this week for Chicago to make a p.a. there in connection with the opening of "No, No, Nanette," going to New York from there.

MORT BLUMENSTOCK, GIL GOLDEN, SID RECHETNIK, MITCHELL RAWSON and RALPH BUDD, of Warners, and a number of editors and writers, return today from Santa Fe.

GRACE and PAUL HARTMAN, left for the Coast yesterday by car, reporting to RKO shortly where they will be featured in the Herbert Wilcox musical, "Sunny."

COL. WILLIAM J. DONOVAN arrived in London yesterday.

New V. C. Officers Dined

Indianapolis—The Indianapolis Variety Club, held its annual banquet for the installation of officers at the Claypool Hotel. Incoming officers include Kenneth Collins, chief baker; Arthur Landes, assistant chief baker; Albert Blocher, treasurer and Fred Greenburg, secretary.

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230 East 41st Street New York City

Ohio ITO to Ask Tax on Bingo Games

(Continued from Page 1)

improved business conditions in Ohio, and observes that the trouble is not so much the quality of pix as it is competition. Of the latter, Wood says, "one of the worst is the Bingo rackets indulged in by various groups and all of which are operated 'scot-free' of all state and Federal taxes."

Wood says that whereas Ohio admission tax collections for the 11 months ended Nov. 30 increased 6 per cent to \$1,573,959, the Ohio sales tax total jumped 12.3 per cent to \$44,247,295.16.

Wood declares that churches in Cincinnati in 1939 collected over \$2,000,000 via Bingo, and that this figure will be exceeded this year. He continues:

"If this industry is to be burdened with Federal and state taxes, we can see no reason for exempting the above groups and, in order that we may be fortified when we go before our State Legislature and the Federal Congress, we must have some authentic figures on which to base our computation of the amount of money that the Federal and state governments are losing by not taxing these Bingo games which, in many instances, are not only 'big business' but rackets."

Judge Campbell Will Hear Stadium Dismissal Motion

(Continued from Page 1)

is reported here that either side can call for action on three days' notice.

Case filed by Frank Ford, operator of the Stadium in Evanston, is based on alleged clearance difficulties.

Hollywood Stars to Attend Chi. Mayor's Xmas Show

Chicago—Among important Hollywood film stars expected here at Mayor Kelly's Christmas show at the Stadium on Thursday are Errol Flynn, Joan Crawford, Charles Ruggles, George Raft and Johnny Weissmuller.

Organizers of the affair predict an attendance of 25,000.



● ● ● NOT only is there a Santa Claus.....but lots of 'em..... and that fact comes home vividly every year 'bout this time.....as you gaze out on domestic filmland's wide horizons.....and watch our industry's industrious Santas modestly at work.....planning and subsequently bringing sunshine and warmth into hearts of young and old..... It is a bright badge of honor.....which our film legions earn annually.....for the humanitarian work they do in the production, distribution and exhibition of joy at Yuletide.....

● ● ● IT would literally require a volume.....to list all the nation's locales wherein our organizations, circuits and indie exhibs.....put their individual and co-operative shoulders to the wheel.....to make the holidays cheerful.....We can pick at random from the packs of dispatches on our desk-top.....and the chances are that the item will tell a story of good-will toward men.....Out in Cincy, for example, Harry "Pop" Wessel and RKO Joe Goetz will be Variety Club hosts to 1,800 underprivileged children at the Orpheum Theater this coming Saturday.....with candy, fruit, toys, and a flesh show combined with a film program for a Christmas treat.....

● ● ● On next Saturday, too, local theaters in Staunton, Va., will give their annual charity shows.....and admish will be via some article of food or wearing apparel which will be distributed to the needy by local charitable organizations..... Just this past week-end, the Capitol, Colonial and Loew's Theaters in Richmond, Va., held special matinees showing pix for the children.....and the admish in this instance was in exchange for toys to be distributed to the poor children by the Christmas Mother Fund..... Down in Hialeah, Fla., a slightly-used toy is the price of admission at the Hialeah Theater.....and all toys collected will be turned over to the fire department there.....which will see to it that the neediest youngsters get them.....

● ● ● THE Oklahoma City Variety Club and the Motion Picture Operators' Union launch today and continue through Christmas Eve a series of 13 parties for shut-ins.....including orphans and cripples..... Portable projectors will be taken to institutions for pix and a "picnic"..... In Minneapolis, film theater operators have opened their lobbies to the Salvation Army lassies to help raise funds needed to supply 1,000 Christmas food baskets for needy families..... Out in Cleveland, M. B. Horwitz, chairman of the Variety Club's Christmas-Chanuka children's party next Monday announces plans have been completed.....to entertain 500 underprivileged youngsters selected equally by the Jewish Social Service and the Division of Relief of Cleveland..... There'll be a full-course turkey dinner and each kid will receive our modern version of sugar-plums plus a toy and a knitted wool scarf..... Then in Springfield, Mass., the Enterprise Dept. Store is this year's sponsor of the Christmas Kiddies' Show given at Loew's Poli.

● ● ● SETTING a precedent for small town theaters in Alabama..... the Lee Theater in Opelika held a matinee for Negro children..... —the price of admish being candy fruit or nuts.....and the confectioneries were sent to the Negro school for distribution to the underprivileged..... As we write these few of many, many items.....we recall what a world-renowned statesman once rote on the fly-leaf of a book for your correspondent..... "Humanity is one and knows neither East nor West"..... He said it with words..... But our hat is off to our celluloid Santas of filmland..... They say it with DEEDS.....

Trouble Under Decree, Kuykendall Warns OTO

(Continued from Page 1)

here yesterday. "This is the first time the Government has entered the theater business since its organization 25 years ago. The decree would never have existed if the distributors had granted the 10-point program of the MPTOA," he said.

Morris Loewenstein, operator of the Majestic Theater, Oklahoma City, was re-elected president for another year at the afternoon session. Other officers re-elected by acclamation were Max Brock of Lawton, vice-president; Leonard White of Weatherford, secretary-treasurer.

New directors elected were: Louis Grove, Oklahoma City, representing the Oklahoma City district; Lou Chatham, Griffith Theaters, Tulsa; Ed Holt, Colgate; Ed Crews, Waukegan; Glenn Thompson, Healdton; Crawford Speaman, Edmond; Gerald Stettmund, Chandler; Homer Jones, Alva, and Verbe Conley, Perryton, Tex., representing the Texas district.

A director was elected from the Oklahoma City district listed as the new general manager of Standard Theaters, Corp., who has not been named since resignation of Walter B. Shuttee, announced this week here.

At the morning session H. M. Richey, M-G-M representative, addressed the group and F. H. Hem-bry of Dallas, regional representative of Ascap, outlined briefly the history of that organization.

Grainger Off for Coast To Spend the Holidays

James R. Grainger, Republic's president, left the home office last evening for the Coast where he will spend the Christmas holiday with his family, stopping en route in Chicago, Des Moines, Omaha and San Francisco.

On his return trip East, Grainger will make stop-overs in Dallas, New Orleans, St. Louis and Indianapolis.

Mrs. Grainger accompanied her husband as far as Chicago, and will meet him in Hollywood.

Grainger expects to return to the home office on Jan. 11.

WEDDING BELLS

Richmond, Va.—Ben Somma, manager, Henrico Theater, was married to Ann Brauer Fletcher here. They are honeymooning in New York.

Clarksville, Tenn.—Announcement that Helen Wood, radio and screen actress, will be married Jan. 1 to Dr. Alfred George Huengardt, Beverly Hills, Cal., was made here by Miss Wood's father, Ed T. Wood.



**IF EVER A PICTURE
MERITED ALL THE
SPECIAL HANDLING
AND PLAYING TIME
YOU CAN GIVE IT,
'SANTA FE TRAIL' IS IT!**



Available from **WARNERS** for
Xmas and New Year's engagements



Rockne's 'Gipper' in an
even greater portrayal



"IRON RAILS TO KANSAS...
IRON NERVES FROM THERE ON!"

ERROL FLYNN

OLIVIA

DeHAVILLAND

in

"Santa Fe Trail"



RAYMOND MASSEY · RONALD REAGAN · ALAN HALE

as John Brown

as Captain Custer

as Private Bell

WILLIAM LUNDIGAN · VAN HEFLIN · GENE REYNOLDS · HENRY O'NEILL · GUINN "BIG BOY" WILLIAMS

Directed by MICHAEL CURTIZ

Original Screen Play by Robert Buckner • Music by Max Steiner • A Warner Bros.-First National Picture

Dietz in Washington At 'Command' Dinner

(Continued from Page 1)

miere" of the M-G-M aviation drama at Loew's Capitol.

Pix will be shown simultaneously in Washington, Toronto, Havana and Mexico City, the linking of these cities marking M-G-M's salute to Pan-American Aviation Day.

Walter Pidgeon, who has one of the leading roles in the film, arrived in Washington yesterday to head the Hollywood delegation to the premiere.

Preview of "Flight Command" aboard a Pennsylvania Central Airline transport Sunday night was termed a success yesterday despite minor mechanical trouble. PCA's prexy, Bedell Monroe, envisioned general exhibition of films aboard transports within the next few years.

Rahal Drops \$50,000 Suit; Sought "Ridicule" Balm

Oklahoma City, Okla.—Suit of Fozie Rahal, owner of Tomorrow Publishing Co., against the Universal Film Exchanges, Inc., and the Midwest theater, operated by Standard Theaters Corp., who showed the picture, "Charlie McCarthy Detective," was dismissed on motion of the plaintiff who said he is unable to get witnesses here.

The suit, before Judge Bower Broadus in Federal court, sought to collect \$50,000 damages, alleging that the magazine "Tomorrow," published here and its editor, were held up to "ridicule" in the film.

\$1.65-\$1.10 for Stage Shows In Detroit Spots

Detroit—Fox and Michigan Theaters are raising 65c to \$1.65 and \$1.10 admissions for New Year's Eve Shows. Houses played straight pictures a year ago at \$1 for the Eve.

Stage shows will be on the bill at both houses for the one day only—the Michigan's stage show opens Dec. 31 for nine days while the Fox opens Dec. 25, to close on the eve—reverting to a policy of staggering stage shows and straight picture weeks at both houses.

Irwin Handling Keeler

West Coast Bureau of THE FILM DAILY

Hollywood—Ruby Keeler is back in Hollywood and has signed a contract with Lou Irwin to handle her.

Neuberger Rites in Rye

Funeral services were held in Rye Sunday for Harold S. Neuberger, 32, partner in the operation of the 55th St. and Fifth Ave. Playhouses.

M-G-M in New Chi. Exchange

Chicago—M-G-M moved its Chicago Film exchange yesterday into the Warner building, where it will hold open house for the trade.

Two Dinners Will Honor John Allen

Cincinnati—John Allen, Metro city salesman transferred as manager to the Washington, D. C. exchange will be given a testimonial dinner Saturday by the Queen City Variety Club and Cinema Club. Allen will be honored by the local exchange with a dinner at the Hotel Alms Friday.

Bomb Breaks Windows In Brit. Technicolor Labs.

(Continued from Page 1)

the Technicolor establishment were shattered by the blast, but there were no injuries.

Plant is continuing to operate on regular schedule, with November footage totalling about 1,250,000 feet. While no British features in Technicolor are shooting, plant is making prints of U. S. color features and is handling British shorts, including some for the Government.

Testimonial for Roy On Utica Promotion

Albany—Andy Roy, Strand Theater manager here the past five years, has been promoted to the Stanley, Utica, effective as of yesterday, according to an announcement by Moe Silver, Warner state zone manager. Roy succeeds William C. Haynes, veteran exhib. who died several days ago. He will be feted by circuit officials and exchange men tomorrow night at Jack's Restaurant.

Succeeding Roy at the Strand will be Jules Curley, zone ad manager in Silver's office.

Roy, well known in theater circles, previously has been in South Bend, Ind., Rochester, Cleveland and Syracuse.

Zone manager Silver will head the list of speakers at the testimonial dinner to Roy. In charge of affairs is Jack Swarthout, manager of the American, Troy, a Warner Theaters house.

"Tin Pan Alley" Gets Fourth Companion Pic

Detroit—The Adams has kept "Tin Pan Alley" for a fourth—but with a fourth different companion picture on the dual bill. Oddity is that three have been airplane pictures—"The Great Plane Robbery," "Charter Pilot," and "Give Us Wings."

Start Soundies Production

First Eastern production on Soundies for Roosevelt-Mills was started yesterday at the Fox Movietone Studio in New York with Arthur Leonard and Dick Hyland handling the production. Vincent Lopez, Will Bradley and Ray Kinney orchestras are being used. Recordings were made yesterday and background work will be filmed today and tomorrow.

Fox-Wisconsin Wins Annenberg Co. Suit

(Continued from Page 1)

ment of Annenberg's Oriental and Tower theaters between 1934 and 1937.

Fox-Wisconsin was charged with waiving clearance on pictures in favor of its Downer and State Theaters to the damage of the Oriental and Tower. The Court held, however, that Fox-Wisconsin faithfully fulfilled its obligations to the Annenberg interests according to its contract.

L. C. Griffith Re-elected By Oklahoma City's V. C.

Oklahoma City, Okla.—New officers of the Oklahoma City Variety Club are: L. C. Griffith, president of the Griffith Amusement Co., re-elected as chief Barker; W. P. Moran, formerly secretary-treasurer of Southwestern Theaters, Inc., first assistant chief Barker; H. R. Falls, general manager of the Griffith Amusement Company, second assistant chief Barker; W. B. Zoellner M-G-M exchange manager, re-elected dough guy; Sol Davis, Republic franchise co-holder, property man.

Directors: Dan V. James, manager of the Black hotel, one year; C. B. "Brownie" Akers, general supervisor of operations. Griffith circuit, two years; Henry S. Griffith, attorney, one year; Robert D. Hutchinson, Midwest Enterprises, Inc., two years; B. J. McKenna, Griffith circuit comptroller, three years and Jimmie Hobbes, Universal branch manager, three years.

Middle States In Deal For Minnesota Theater

Minneapolis, Minn.—The Minnesota theater, largest picture house in the Northwest, which has been dark nearly a year, may re-open on New Year's eve with a vaudefilm continuous policy.

Minneapolis Theater Co., which now controls the building, has asked the Federal referee in bankruptcy to order a creditors' meeting within 15 days so that present trustees may be authorized to complete a deal with Middle States Corp., of Milwaukee, to operate the house. Trustees are C. D. Maclaren, St. Paul, and Gordon Greene and W. H. Bovey of Minneapolis.

The house last was operated by the Benz interests of the Twin Cities, with Greene as manager.

Sherwood to Make 2 for UA

West Coast Bureau of THE FILM DAILY

Hollywood—Robert Sherwood, indie producer, announces that he will make two pictures with Elisabeth Bergner as the star, and her husband, Paul Czinner, as director for United Artists release. First film will be "Rings on Her Fingers."

HOLLYWOOD SPEAKING--

By RALPH WILK

PETE SMITH has recorded his comments for his newest specialty, "Penny To The Rescue," the cooking short with Prudence Penny of the L. A. Examiner. Will Jason directed the Technicolor one-reeler, the fourth in the series.

NEWCOMERS who find it difficult to "crash Hollywood" soon feel it should be described as an American city surrounded by the Wall of China.

CLARENCE BROWN has returned from New York to begin preparations for the preview of "Come Live With Me," starring James Stewart and Hedy Lamarr, which he directed for M-G-M. While in Gotham he queried story marts for suitable vehicle for his next assignment.

ARGYLE NELSON has been assigned to Sam Wood as assistant director on "The Devil And Miss Jones," starring Jean Arthur, which goes into production at RKO Monday. Nelson, who was Wood's assistant on "Kitty Foyle," starring Ginger Rogers, is at Reno, Nev., with a camera crew for background scenes.

HAVING recovered from a mild attack of flu, George Murphy has reported to M-G-M to discuss his next assignment, and the possibility of a personal appearance tour of South America. He recently scored in "Little Nelly Kelly," in which he shared honors with Judy Garland.

SOL M. WURTZEL, accompanied by writer, Lester Ziffren, now in South America, will be gone until March 7. Wurtzel had 12 pictures on this year's program of which nine have been completed, two nearly completed, and one starts tomorrow.

NANCY KELLY and John Sutton will play the romantic leads in Jane Winters' next starring vehicle, "A Very Young Lady."

GERTRUDE NEISEN has been signed on a one picture contract by Universal. The picture will be a musical which is not yet named.

CLAUDETTE COLBERT has been signed to a new contract by Paramount, under the terms of which she will make two pictures by 1943. She still has two to go under the old deal, the first of which will be "Skyhawk."

PARAMOUNT and Bing Crosby have made a new deal whereby he will continue with Paramount on a straight three-year contract, effective June 1, 1941. He will be permitted to make one outside picture annually.

DAVID HUGHES has been signed for a role in "Tobacco Road" at 20th Century-Fox. Sam Arnoff of the Lou Irwin Agency set the deal.

U. S. Hints Ascap Consent Decree Near

(Continued from Page 1)

cludes a provision on clearance at the source whereby the chains would pay the Ascap fees on chain broadcasts instead of splitting the cost among the stations that carry the program.

Also understood that the decree, if it is signed, will call for Ascap admittance to membership of any writer who has written one or more songs and generally speaking, all songwriters will become eligible for membership.

Licensing network programs at the source, as is already provided for in the proposed new Ascap contracts, is apparently contrary to the desire of the majority of stations and certainly not in accord with the desires of the chains.

As far as the AFM is concerned, "there is no Ascap situation," James C. Petrillo, AFM president, stated last night. Petrillo amplified his statement by explaining that his advice or suggestions had not been asked by either faction. Hope for an early settlement of the dispute was expressed, however, by the AFM executive.

Schines Buy Out Kaplan Interests in Maysville

Cincinnati—Maysville's two movie theaters, the Russell and the Washington, were acquired by Schine Enterprises, Gloversville, N. Y., from Sam Kaplan. Schines have been part owners with Kaplan since 1938.

Edward May, manager for Schine's Paris, Ky., house, will manage the two new acquisitions, succeeding Jack Frisch, son-in-law of Kaplan, who goes on to manage Schine's Ada Meade Theater at Lexington.

May was former manager at Corbin and Middlesboro, Ky.

RKO Pathe News Party Set

Members of RKO Pathe News will hold their annual holiday party on Friday, Dec. 27, in the Green Room of the Hotel Madison. General Manager Walton C. Ament is in charge of arrangements.

Wilfred Lucas Dead

West Coast Bureau of THE FILM DAILY
Hollywood—Wilfred Lucas, actor and pioneer film director, died here following a six weeks' illness.

New Year's Trailer On "Four Mothers"

Special New Year's trailer is being prepared by Warners' trailer department on "Four Mothers," studio's first release of 1941. Subject will contain greetings from the industry and will utilize all members of the cast, including the Lane Sisters, Eddie Albert, Jeffrey Lynn, Claude Rains, Mae Robson and Frank McHugh.

16 Service Features in Cycle "Flight Command" First; Comedies on Draft

(Continued from Page 1)

in Washington, Toronto, Mexico City and Havana. Picture, directed by Frank Borzage, has a cast topped by Robert Taylor, Walter Pidgeon and Ruth Hussey. Filmed in co-operation with the Navy, it depicts air maneuvers at sea with aircraft carriers, battleships and squadrons of fighting planes engaged in every hazard of the service.

In preparation also at Metro is "Combat Car," a story of the Tank Corps to star Wallace Beery.

Other Service features planned follow:

At Paramount: In production "I Wanted Wings," with Ray Milland, William Holden, Wayne Morris, Brian Donlevy, Veronica Lake, Constance Moore, Phil Brown and Harry Davenport. Being produced by Arthur Hornblow, Jr., with Mitchell Leisen directing. Filmed with co-operation of the United States Army Air Corps, a dramatic story of fledgling Americans taking to the air. In preparation, Buddy DeSylva's "Caught in the Draft," which will have Bob Hope and Dorothy Lamour in the leading roles.

At RKO-Radio: "Parachute Squadron" in preparation.

At 20th Century-Fox: "The Eagle Flies Again," an airplane story; "Rise and Shine," semi-musical conscription story and "Ten Gentlemen

From West Point," all in preparation, with "The Eagle Flies Again" and "Rise and Shine" scheduled to go into production early in January.

At Universal: In production "Buck Privates," conscription comedy with music featuring Abbott & Costello and the Andrews Sisters; and "Sky Raiders," a serial dealing with aerial defense and the training of youth in the air.

At Warners: "Navy Blues," in preparation.

Walter Wanger's "The Eagle Squadron" in preparation for United Artists release.

At Columbia: "He's My Uncle," a conscription farce, and "Trinidad," a British Army Post story by Sy Bartlett, both on Sam Bischoff's schedule, and "Pack Up Your Troubles," a comedy, to be produced by Robert Sparks.

At Republic: "Rookie's Roost," a conscription comedy to go into production shortly.

Service Shorts to be Sold As Specials by Columbia

"U. S. Military Academy" and "U. S. Naval Academy," shorts made by Government co-op, will be coupled and sold as specials by Columbia.

Equity Boosts Dues To Limit Membership

(Continued from Page 1)

to \$50, the Council has boosted the initiation fee to \$109 and ruled that all payments must be made in cash, no IOU's being acceptable.

It is pointed out in an editorial in the Equity magazine that the profession is already overcrowded and that the new minimum wages were attracting a number of people who were more interested in the money than in the stage. Payment to Equity of initiation fees by managers is acceptable, it was said.

Mount Vernon Memorial Said Leased to Schines

Mount Vernon, O.—Memorial Theater closed as of Dec. 9. It is understood that the theater has been leased by Schines who now control the town.

George Regas Stricken

West Coast Bureau of THE FILM DAILY
Hollywood — George Regas, 50, stage and screen actor, died here.

Harold Corbett Dead

Worcester, Mass.—Harold Corbett, former manager of the Worcester Theater, died at Jersey City, N. J.

Gran Named Chief Barker By Milwaukee's V. C.

Milwaukee—The local Variety tent has elected new officers as follows: L. F. Gran, Standard Theaters, chief barker; first assistant chief barker, Harold Fitzgerald, Fox-Wisconsin Amusement Corp.; second assistant, Alfred D. Kvoel, Warner-Saxe Theaters; B. J. Miller secretary and A. N. Schmitz, RKO, treasurer.

Newly elected to the board of governors are Fitzgerald, Gran, Kvoel, H. J. Mirisch, George Fischer, Roy Pierce, Harry McDonald, Edward Alpersen and Oscar J. Ruby. Hold-over members are Oscar Olson, retiring chief barker, Sam Shurman, Edward Weisfeldt and Charles Trampe.

O'Shea-Bowen Luncheon To Aid Charity Work

Proceeds from the testimonial luncheon being tendered Thursday at the Astor to "Ted" O'Shea and Jack Bowen will be turned over to the Charity Fund of Motion Picture Associates through an arrangement made by William F. Rodgers and Harry Brandt. It was announced yesterday. Tickets at \$5 per are obtainable from Joe Lee at the 20th-Fox exchange.

Dayton's Amusus Now Dunbar

Dayton, O.—Floyd Williamson has reopened The Amusus and renamed the house The Dunbar.



THE AUDIENCE IS THE ANSWER!

THE SENSATIONAL CBS COAST-TO-COAST NETWORK SMASH IS BIG NEWS AS A LAUGH-PACKED REEL!

BOB HAWK'S

"TAKE IT OR LEAVE IT"

SIDNEY MEYER, president, Wometco Theatres, Miami Beach, sends word: "Audience reaction . . . audience comments . . . very, very favorable!"

A COLUMBIA "QUIZ" REEL - NOW BOOKING

A SALUTE TO North, Central and South AMERICA

*President Roosevelt has designated
today as*

**PAN-AMERICAN
AVIATION DAY**



THE TIES that bind us together in the Americas were never closer. This is a day of hemispheric patriotism.

The motion picture industry plays its part. As you read these words gallant pilots are winging their way through the air with prints of **FLIGHT COMMAND** (the new Metro-Goldwyn-Mayer picture starring Robert Taylor) to Toronto, to Washington, to Havana, to Mexico City and on down through the capitals of all Central and South American countries. Banquets will be held preceding the simultaneous international preview.

Watch for **FLIGHT COMMAND**! It is unquestionably a momentous achievement in the drama of the skies. Remember M-G-M's "Hell Divers"? "Test Pilot"?

You'll never forget **FLIGHT COMMAND**.

ABOVE: Newspaper advertising dramatizes an important film event from Coast to Coast!

THIS AD APPEARS TODAY IN 43 PAPERS!

Something *new* in launching a Film Premiere and of course M-G-M does it first! Direct box-office tie-up! Practical linking of a front-page story of national importance with M-G-M's new giant entertainment! When "Flight Command" comes to your theatre it's preceded by promotion that sells tickets in advance. Friendly Company, friendly to your box-office!

With the gratefully acknowledged cooperation of the United States Navy, Metro-Goldwyn-Mayer presents ROBERT TAYLOR in "FLIGHT COMMAND" with Ruth Hussey, Walter Pidgeon, Paul Kelly, Shepperd Strudwick, Nat Pendleton. A Frank Borzage Production. Screen Play by Wells Root and Commander Harvey Haislip. An M-G-M Picture. Directed by FRANK BORZAGE. Produced by J. WALTER RUBEN

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 119

NEW YORK, WEDNESDAY, DECEMBER 18, 1940

TEN CENTS

ARGENTINE DEALS ON CASH ONLY BASIS? Cuban Exhibs. Ask Reforms Based on N.Y. Decree

Proposals for Compromise Of Block-Booking Dispute Before Commerce Minister

By MARY LOUISE BLANCO
FILM DAILY Staff Correspondent
Havana (By Air Mail)—Proposals for compromise settlement of the anti-block-booking bill controversy here, suggested by terms of the equity decree recently signed in New York, have been forwarded to the Minister of Commerce by the Association of Exhibitors of the Republic of Cuba. It is learned.

Meanwhile, the product shortage is becoming daily more acute, one
(Continued on Page 6)

O'Loghlin Heading Canadian Distribs.

Toronto—J. P. O'Loghlin has been elected president of the Motion Picture Distributors Association, the organization which will represent all the major companies in Canada. O'Loghlin is general manager of 20th Century - Fox, Ltd.



J. P. O'LOGHLIN

Col. John A. Cooper continues as chairman of the board. The MPDA will function in a similar capacity to that of the MPDA in the United States but will have no connection with it except indirectly.

DIETZ IN PIX DEFENSE KEYNOTE

Industry's Special Job is "Morale-Power," Metro Exec.
Says at "Flight Command" Dinner

By MILTON F. LUNCH

Washington Bureau of THE FILM DAILY

Washington—Howard Dietz, Metro's executive in charge of promotion, sounded the keynote of industry co-operation in national defense here last night as to a stamper of the "Flight Command" dinner at the Carlton Hotel.



HOWARD DIETZ

Defining "morale-power" as the "particular job of the motion picture industry" in the national emergency, Dietz pointed out that "the movies can show the public the progress of our defense forces and, perhaps even more important, can show the ideals which are all bound together to defend."

"Never get the idea that the shadow world isn't a reflection of the democracy that survives in the real world, for the movies have shown by their dominance in the world market that what the people of all nations really like is the freedom of the open plain, the camaraderie of the cafe, the intimacy of the taxi-driver with his passenger, the interrelation between the poor and the rich, the success story of Cinderella and the social gestures of a Mr. Deeds," Dietz declared.

"It is these things that caused governments, to whom democracy is

(Continued on Page 4)

10 Features Added To Shooting Total

West Coast Bureau of THE FILM DAILY

Hollywood—Ten pictures are scheduled to roll this week.

At Columbia: Six shooting. None scheduled to go this week.

At Paramount: Five shooting, in

(Continued on Page 8)

Para. Restricts Legit. Coin to "Good Plays"

Paramount is interested in backing any play which the company

(Continued on Page 4)

F & M Wins Action Against Ex-Counsel

St. Louis—Counsel for John S. Leahy and his law associates, Lambert E. Walther and Harold F. Hecker, against whom Circuit Judge Joseph J. Ward awarded a \$33,500 judgment in favor of Fanchon &

(Continued on Page 8)

Ontario Gov't to Train And License Operators

Montreal—Despite protests from labor bodies and trades unions Pre-

(Continued on Page 8)

New Sales Policy Results From Extended Meetings Of U. S. Firms, Distribs.

By DR. W. P. SCHUCK
FILM DAILY Staff Correspondent
Buenos Aires (By Air Mail)—New sales policy looms here as a result of extended conferences between representatives of U. S. distributing companies and exhibitor interests.

Fox Film de la Argentina already
(Continued on Page 6)

Kuykendall at M-KTA Calls Decree 'Stupid'

Kansas City—"Stupid, misnamed, unfair." With these words Ed Kuykendall, MPTOA president, branded the consent decree at the annual convention of the Missouri and Kansas Theaters Ass'n yesterday. He an-

(Continued on Page 6)

Committee Drafts Rules For Academy's Awards

West Coast Bureau of THE FILM DAILY

Hollywood—Rules to govern the 1940 Academy Awards were drafted by the Awards Committee at its first meeting here last night. Walter

(Continued on Page 6)

"Love Thy Neighbor"

Riding to the current cinema scene via one of the most intensive advance build-ups a feature film has enjoyed, "Love Thy Neighbor" packs the power to grab grosses in every situation, not only because of the entertainment it offers, and the magnetic names of Benny and Allen in the same production, but, too, the radio "feud" of the comedian-leads which has made them a vortex of public attention wherever there is a receiving set. Here is spotlight diversion—light, swift-moving and cleverly presented. Audiences in all brackets will go far for this one.

(For full review turn to Page 7 and for color story of last night's opening turn to Along the Rialto on Page 4).

—MORRIS

UA Directors Vote Christmas Bonuses

UA directors, meeting yesterday, voted a Christmas cash bonus for employees both at the home office and branches "in appreciation of their loyalty and devotion shown in these difficult times." Announcement, made by Murray Silverstone, said distribution details had been left to Arthur W. Kelly.

Arbitration for Ascap, BMI?

AAA in Offer; Ascap Decree in 48 Hours?

Canadian "10 Best" Poll Copies Film Daily Plan

Toronto—Tastes and preferences of Canadian critics and audiences will be tabulated in the first all-Canadian poll to be conducted by

(Continued on Page 6)

Adoption by radio of an arbitration setup paralleling that recently approved for the motion picture industry loomed last night when it was learned that the American Arbitration Association had tendered

(Continued on Page 8)

THE **Jilm** DAILY

Vol. 78, No. 119 Wed., Dec. 18, 1940 10 Cents

JOHN W. ALICATE : : : : Publisher

DONALD M. MERSEAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Tuesday, Dec. 17)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.				
Col. Pict. vty. (2 1/2%)				
Columbia Pict. pfd.	24	23 1/2	23 1/2	- 1/2
Con. Fm. Ind.				
Gen. Th. Eq.	11 1/4	11 1/4	11 1/4	- 1/8
Loew's, Inc.	4 3/4	3 3/4	3 3/4	- 1/4
do pfd.				
Paramount	10 3/4	10 1/2	10 3/4	+ 1/8
Para. 1st pfd.				
Para. 2nd pfd.	10 7/8	10 1/2	10 7/8	+ 1/8
Pathe Film	10	10	10	- 1/8
RKO	3 1/2	3 1/2	3 1/2	
20th Century-Fox	6 1/4	6 1/4	6 1/4	
20th Century-Fox pfd.	18 1/2	18 1/2	18 1/2	- 1/8
Univ. Pict. pfd.	117	115	117	- 2
Warner Bros.	3 1/2	3 1/2	3 1/2	- 1/8
do pfd.	55	55	55	

NEW YORK BOND MARKET

Keith B. F. ref. 6446 102 1/2	102 1/2	- 3/8
Loew's deb. 3 1/2% 96		
Para. B way 3555		
Para. Pict. 6555		
Para. Pict. co. 3 1/2% 95	95	- 1/2
Warner Bros. deb. 6488 97	95 1/2	+ 3/8

NEW YORK CURB MARKET

Monogram Pict.	13 1/2	13 1/2	13 1/2	
Sonotone Corp.	9 1/8	8 3/4	9	- 1/8
Technicolor	15-16	7 1/2	7 1/2	- 1/8
Trans-Lux	5 1/2	5 1/2	5 1/2	- 1/8
Universal Pict.	15	15	15	- 1/2

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. 45	66	68
Roxy Thea. Bldg. 4s 1st '57	61	63 1/2

Empire-Universal Execs. Huddle on Scully Drive

Plans for the participation of Universal's Canadian sales forces in the current William Scully anniversary drive were discussed yesterday in Toronto at the regular mid-season conferences of Empire-Universal executives. F. J. A. McCarthy, Eastern division sales manager, participated.

225 Attend Schwartz Testimonial Luncheon

A testimonial luncheon to Arthur Schwartz, who has resigned as chief booker for the Brandt circuit, was attended yesterday by 225 persons at the Hotel Astor. Joe Lee was toastmaster and speakers included Tom Connors, Milton Kusell, Henry Youngman and Harry Brandt. Schwartz was presented with a Cine-Kodak camera.

A large banner in the banquet room announced: "Mr. Schwartz Goes to Messing." Schwartz is joining his father-in-law in the operation of the Messing Baking Co.

Screen Readers Guild Seeks NLRB Hearing

Petition has been filed with the NLRB by the Screen Readers Guild for a formal hearing with local representatives of Metro, RKO, 20th-Fox and Universal to establish the Guild's right to represent outside readers and bargain for them. Series of informal hearings were held last week between legal representatives of the companies and the Guild. Companies hold that outside readers are private contractors and not employees.

Upholsterers Ask \$10,000, Injunction vs. Stagehands

Locals 44 and 45 of the Upholsterers International Union of North America, yesterday filed suit in the New York Supreme Court against Local 1, New York stagehands, for an injunction and \$10,000 damages. The defendant is charged with seeking to drive the Upholsterers from the field of furnishing theaters with curtains, drapes and wall hangings, and with interfering with contracts obtained by the plaintiff.

Cliff Lewis Heads Para.'s Exploitation Department

Hollywood—Cliff Lewis has been made head of Paramount's exploitation staff under Bob Gillham and will make his headquarters in New York.

Steinbeck Mexican Film For Early 1941 Release

Pan American Films, Inc., expects to release the John Steinbeck Mexican film, produced by Herb Kline and A. Hackenschmidt, early next year. Subject is tentatively titled "Forgotten Village."

IA-N. Y. Labor Federation Confer

Legislative committee of the IATSE for the 10th district New York State, is now in session at Albany with the N. Y. State Federation of Labor executive and legislative committees working on next year's program.

Ritter and Schulte Will Testify in Midwest Suit

Detroit—Midwest Theaters' suit against Co-operative Theaters of Michigan resumed yesterday with Raymond E. Moon still testifying. Moon explained general industry practice in selling and booking, then went into extended history of Co-operative Theaters, of which he was formerly manager, until, he claimed, formation of cliques forced him out.

Further witnesses include James C. Ritter, Co-operative member and former president of Allied States, and William Schulte, independent circuit owner.

Plaintiff's counsel has also subpoenaed Carl R. Buermle, Co-operative manager, to produce records in court.

Jacob Lourie, Veteran N. E. Exhibitor, Dies

Boston—Jacob Lourie, 66, a pioneer of the motion picture industry and prominent in Boston theatrical circles for many years, died yesterday. Lourie, at the time of his death, was associated with M. & P. Theaters and was a director of Public-Netco of which he was once president. He also was a former president of the New England unit of the MPTOA and was said to have been the first showman to exhibit talking pictures in the U. S. Funeral services will be held today.

\$7,887,000 Certificates Of PBC Now Outstanding

Washington Bureau of THE FILM DAILY

Washington—Paramount Broadway Corp. has filed a November report with the SEC dealing with its first mortgage sinking fund loan certificates, due Feb. 15, 1955. The report said \$7,887,000 of the certificates are now outstanding, including \$1,022,500 held in the treasury, compared with \$8,104,000 principal amount outstanding previously, including \$830,500 held in the treasury.

Peninsula Theaters Stock to Dominion Co.

Washington Bureau of THE FILM DAILY

Washington—Paramount has reported to the SEC that the remaining 50 per cent of the stock of Peninsula Theaters, Inc., has been acquired by Dominion Theaters, Inc., a subsidiary of Paramount.

Finletter's RKO Award \$8,000

Thomas K. Finletter special counsel to RKO, yesterday was awarded \$8,000 in compensation for representing RKO during allowance hearings in the RKO reorganization. Finletter had asked for \$15,000.

John B. Hollis Dead

Amityville, L. I.—John Beresford Hollis, 81, retired screen and stage actor, died here.

COMING and GOING

THOMAS ORCHARD, associate producer of the March of Time, has returned from Pittsburgh where material for a new subject was filmed.

HUGH HERBERT arrives here today from the Coast.

JOHN LYNN, March of Time director, has returned to his desk after a two weeks' vacation.

GEORGE BLACK, March of Time director, JOHN GEISEL, cameraman, and WILLIAM WIDMAYER, assistant cameraman, have returned from Canada where they were shooting material for a new subject.

G. L. CARRINGTON, vice-president and general manager of A'tec, and HARRY M. BESSEY, secretary-treasurer, have returned to the home office from business trips.

HOWARD DIETZ, ART SCHMIDT and RAY BELL return today from Washington where they attended the "Flight Command" banquet.

Canadian Division Manager LEO DEVANEY, captain of the Ned Depinet Drive force, will report at the RKO Radio home office this week.

Lieut.-Gov. CHAS. POLETTI and MILTON DIAMOND, Ascap counsel, left yesterday for Washington to confer with D of J anti-trust division officials.

Midwestern District Manager WALTER BRANSON of Chicago is at the RKO Radio home office.

Branch Manager A. N. SCHMITZ of Milwaukee is at the RKO Radio home office.

Eastern Division Sales Manager ROBERT MOCHRIE of RKO Radio is on a business trip to the Detroit exchange this week.

RKO Publicity Dept. Will Occupy Entire 10th Floor

RKO's publicity department will take over the entire 10th floor of the RKO Bldg. next month. Floor is being remodeled into a number of modern offices to house the various units of the publicity, advertising and exploitation departments.

Ont. Provincial Clearance Board Meets Again Jan. 7

Toronto—Newly organized Ontario Provincial Clearance Board held its second meeting yesterday, but issued no statement except to indicate that a spirit of harmony prevailed. Next session Jan. 7.

Day Returns to Rio

Rio de Janeiro (By Air Mail)—John L. Day, Para.'s South American manager, has returned from a short visit to B. A. and Santiago de Chile, where he conferred with the company's local managers.

Sam Burger, at present in B. A., is expected here for the opening of the two new Metro theaters.

"Happy Birthday to You"



From THE FILM DAILY to Rutgers Neilson Arthur Metcalfe Edwin H. Morris George Cooper John Humm

HOW'S YOUR PRE-CHRISTMAS BUSINESS?

The picture we said would do "Business before Xmas" is now playing at the Rialto Theatre, New York

— DOING THE BIGGEST BUSINESS THAT THEATRE HAS DONE IN OVER A YEAR!



It knocked N.Y.'s tough critics for a raving loop!



"A whale of a western!"
Kate Cameron,
DAILY NEWS

"Rowdy Fun! Good! Fast!"
Bowsley Crowther,
N. Y. TIMES

"Pace, suspense and excitement!"
Howard Barnes,
N. Y. HERALD TRIBUNE

"Made by connoisseurs!"
Cecelia Ager, PM

"A sheer delight!"
William Boehnel,
N. Y. TELEGRAM

"Lively . . . entertaining!"
Rose Pelswick,
N. Y. JOURNAL

"Hasten over to the Rialto Theatre!"
Archer Winston, N. Y. POST



Don't Wait for Santa! Date Your Universal Xmas Present NOW!

"TRAIL of the VIGILANTES"

starring **FRANCHOT TONE** • **WARREN WILLIAM** • **BROD CRAWFORD** • **ANDY DEVINE**
MISCHA PORTER • **PEGGY AUER** • **HALL MORAN**

Original Screenplay by Harold Shumate
DIRECTED BY ALLAN DWAN

A UNIVERSAL PICTURE

Morale-Power Pix's Special Job—Dietz

(Continued from Page 1)

a menace, to sever relations with our shadow world. And it is these things which make the motion picture industry rise to the occasion like a good soldier, to make short films like 'Eyes of the Navy' that can assist in recruiting, and feature films like 'Flight Command' which show that ours is no nation of military caste bound for dominance, but rather one that finds its strength in common ideals that were not thought up yesterday to be discarded tomorrow. The motion picture is a servant of the nation and the Hemisphere and, above all, a servant of the public, which gives one supreme command: 'Whatever you say, don't be boring.'

Dinner was under the auspices of the National Aeronautic Association which also sponsored the opening of Metro's 'Flight Command' at Lcew's Capitol Theater before a notable audience which included diplomatic reps. from virtually every American republic. Local premiere held as a feature of Pan-American Aviation Day was one of four staged simultaneously, others taking place in Toronto, Havana and Mexico City. Picture was enthusiastically received.

Dinner speakers introduced by Dietz and heard over the radio via Mutual's network included Admiral Harold Stark, Chief of Naval Operations; Gen. George C. Marshall, Chief of Staff of the Army; Dr. Leo S. Rowe, director general of the Pan-American Union; Thomas Burke, chief of the Division of International Communications of the Dept. of State, and Walter Pidgeon, who has a leading role in the film.

Para. Restricts Legit. Coin to "Good Plays"

(Continued from Page 1)

believes will be a success but there are no plans to go heavily into the legitimate side of the business, an executive said yesterday in commenting on a newspaper report to the effect that Paramount would back "a record number of plays" this Winter.

"Show us a good play and we'll be interested," the executive said, adding that the offer also went for story material for pictures. He said there was no move to back any more plays than usual. Paramount now has a one-third interest in "Lady in the Dark."

WEDDING BELLS

Martha Albert, secretary to Al Bondy, was married to Samuel Dornfeld here and they are now honeymooning in Washington, D. C.

Jean Muir, screen actress, and Henry Jaffe, lawyer, obtained a marriage license at the New York Municipal Bldg. yesterday.



● ● ● That amusing ether "ennmity".....twixt Jack Benny and Fred Allen.....was handsomely spliced last evening.....in the appropriate medium of celluloid.....when Paramount premiered the pair's starring vehicle....."Love Thy Neighbor" at the local Paramount Theater.....whose ornate and arched facade.....illuminated by batteries of sunlight arcs.....looked down on packed Times Square throngs.....only a tiny fraction of whose numbers could gain admittance.....to see the film.....and view the Benny-Allen combo in personal appearance on the stage as Tommy Dorsey's ork concluded its part.....in as slick a stage show as has graced the theater in many moons.....leading to much more than a suspicion that whatever good cheer Santa Claus fails to bring.....the Paramount will supply in copious measure during the next several weeks.....

● ● ● ACTUALLY, for the metropolitan press and a great array of renowned personalities.....the premiere festivities yesterday.....stretched over a solid span of seven hours.....commencing at sundown when the Paramount solons launched a cocktail reception (christened a "Hatchet Burial" ceremony in honor of Messrs. Allen and Benny).....at the snooty Stork Club.....Like the kid who stepped up to a local department store's Santa and said: "Perhaps it'll be easier if I tell you what I don't want for Christmas".....this corner avers that it would be much easier to tell you who wasn't at the Stork Club party..... Films, radio, the stage and Fourth Estate were packed in so tightly.....that you had to recognize the guests from the cut of their hair.....The familiar apexes of Allen, Benny, Kay Kyser, Ezra Stone, Barney Balaban, Stanton Griffls, Adolph Zukor.....Neil Agnew, Walter Batchelor, Austin Keough, Jack Ali-coate, Russell Holman, J. J. Unger, John Hicks, Bob Gillham, Don Mersereau, Oscar Morgan.....Red Kean, Chick Lewis, Leonard Goldenson, Leon Netter, Charles Reagan, Ed Sullivan, George Ross, Leonard Lyons.....Louis Sobol, Danton Walker, Harry Kalcheim, John Hertz, Jr., Pat Scollard, M. F. Gouthorpe, Al Wilkie, et al.....were in the immediate vicinity of this scribe's station.....With time out for a snack.....everybody piked for the premiere.....just before which a special broadcast went over WOR.....bringing together Benny, Allen, Tommy Dorsey, Henny Youngman, the Four Ink Spots.....and Rosemary Lane holding down the femme air honors.....with Don Wilson as master of ceremonies.....Mister Benny and Mister Allen have something to tell the folk out Hollywood way.....This was an ace debut for any film.....and by any yardstick.....

● ● ● STUFF:.....Franklyn Ferguson, manager of the Whitney, New Haven, offers a special added attraction there on Christmas Eve—the 60-voice choir of the Plymouth Church there.....One Thousand B.C. might be the title of this yarn about Art Glaser, manager of the Comerford Theater in Carlisle, Pa: he is reported to have caught a live pheasant with his hands on the front porch of his cabin on the nearby mountains.....Warren Irvin, district manager for the Palmetto Theater Co., Columbia, S. C., has been named a member of the steering committee for the Richland County Fight Infantile Paralysis campaign.....That renowned Paramount Pep Club is certainly a close-knit organization as its girl members prove by turning over, from Aug. 2 to Dec. 2, to the American Red Cross and British War Relief Society 141 finished articles, representing 3,003 knitting hours, bulk of which work is 91 sweaters and 26 pairs of socks.....Thanks Jimmy Sileo for that Mexican post card and when you get back we hope you see pronto how the conservative New York Times published that ballet photo you made at the Music Hall (imagine what a break that would've been in a not-so-conservative sheet!)

Want "Big 5" Out Of "Little 3" Suit

United Artists Corp. and Universal will ask Federal Judge Henry W. Goddard on Jan. 7 to compel the Government to drop all references to the "Big Five" in its complaint, and all allegations seeking theater divorce, it was learned yesterday. The application will seek an order directing the Government to file an amended complaint which would set forth the alleged controversy between the Government and the "Little Three" in specific terms so that a trial would be confined to that issue.

An affidavit of Edward C. Raftery, attorney for UA and Universal, which will be handed up to the Court argues that the complaint is improper in its references to the "Big Five." The affidavit states "the complaint in its form today as against the non-theater owning defendants refers to the theater owning distributors as parties, and contains all the allegations of their monopolization—asks for divorce—ment—and is in no wise a pleading setting forth a controversy between the plaintiff and the non-theater owning defendants."

The motion is in accord with Raftery's argument before Judge Goddard earlier this month. Columbia will probably join in the application, it is believed.

\$3,344,151 of Exposed Film Exports in 10 Mos.

Washington Bureau of THE FILM DAILY
Washington—Exports of exposed film during the first 10 months of 1940 totalled 158,922,533 linear feet, with valuation of \$3,344,151, the Department of Commerce reported yesterday. October exports totalled 16,948,116 linear feet, with a value of \$361,490.

Tax Collector Stricken

Victoria, B. C.—Mrs. May Watkins, British Columbia Government amusement tax collector was taken ill and died suddenly while visiting here.

TO THE COLORS!

Chicago—Richard Sowers of B & K's United Artists Theater has been called to service with the Black Horse troop of the Illinois National Guard.

Des Moines, Ia.—George Lofink, booker with Universal Films here, a naval reserve officer, has been called into active service at Chicago. Announcement was made also of his marriage last month to Charlene Clark of this city.

Victoria, B. C.—Herbert Botten of the Dominion has joined the Royal Canadian Navy Band.

TO MAKE CHRISTMAS MERRIER--
TO MAKE NEW YEARS HAPPIER--

PLAY THESE RKO RADIO SPECIAL ADDED ATTRACTIONS

The **DIONNE QUINTUPLETS** "GROWING UP"

The Dionne Quintuplets going on seven . . . with Dr. Dafoe telling you all about it.

WALT DISNEY'S "FIRE CHIEF"

Donald Duck's three nephews—a false alarm—and a real alarm, in a flaming riot.

"PANTRY PIRATE"

Pluto plundering the kitchen—and mixed up in a million-bubble bath that's a scream.

THE MARCH OF TIME

"ARMS AND THE MEN, U. S. A."

The full story of the first peacetime conscription in U. S. history.

"LABOR AND DEFENSE, 1941"

Every man a vital cog in the wheels of industry as the U. S. girds for total defense.

Information Please

LOUIS BROMFIELD, famous novelist, guest expert, and the regulars, Fadiman, Kieran, Adams, Levant.

WENDELL L. WILLKIE, guest star in his second appearance with the famous foursome.

IN THE SPORTSCOPES SERIES

"SNOW EAGLES"

Skiing, skating and other snow sports at Sun Valley . . . Sportscope crammed with action and fun.

A NEW Picture People RELEASE

with **Carole Lombard**, **Robert Montgomery**, **Alfred Hitchcock**, **Edgar Bergen**, **Charlie McCarthy** as your public wants to see them.

THE FINEST IN SCREEN ENTERTAINMENT!

**R K O
RADIO
PICTURES**

Argentine Deals On Cash Only Basis!

(Continued from Page 1)

has posted announcement that, effective Jan. 2, 1941, films will be sold against cash exclusively. This policy is expected to be announced shortly by other companies.

While multiple feature programs will not be banned, film rentals will be tilted in order to make such exhibitor practice unprofitable, it is understood.

It is indicated that an attempt will be made to discourage new theater construction to avoid over-seating.

Canadian "10 Best" Poll Copies Film Daily Plan

(Continued from Page 1)

the Canadian Motion Picture Exhibitor, official publication of the Independent Theaters Association.

In the past, Canada has accepted the results of THE FILM DAILY'S 10-Best and other polls on what constitutes box-office popularity, but, it is explained here, a new national consciousness has been felt in Canada since the beginning of the present war.

Film editors, critics, commentators and columnists of Canadian papers will cast their votes for the 10 best pictures of the year, while exhibitors will be polled on the 10 best money-making attractions. Results are expected to be known by Jan. 15.

Metro Pep Club Honors Donaldson and Goldstein

New Haven.—The annual Warner Xmas party and the Metro Pep Club Xmas party are both slated for tomorrow, the former at Waverly Inn, and the latter at Oakdale Tavern. Metroites will honor both Thomas Donaldson, who has been promoted to the Boston exchange from New Haven, and Morey Goldstein, who succeeds Donaldson in New Haven. George Weber, checking supervisor, is in charge of arrangements, assisted by Milton Hyams, president and Charles Lazarus. A grab bag is planned.

"Man Bites Dog"

Rochester.—When a man bites a dog—that's news! And so it's news when a newspaper business staff reverses the usual procedure and throws a dinner for theater managers.

That's what happened here when the Democrat and Chronicle business manager and his aides gave a game dinner at the swank Rochester Club for Lester Pollock of Loew's; Jay Golden of the RKO Palace; Charley Freeman of the Century, and William Cadoret.

Albanian Pix Theaters Reopen Under Greek Management; 1938 U. S. Films on Screens

Koritz, Albania, (By Cable)—Although this city was occupied by the Greek forces only three weeks ago, film theaters have been re-opened under Greek management. Movie houses are open daily to 10 p.m. and on Sundays to 11 p.m.

Pictures are being brought from Greece and England. Features made in the U. S. in 1938 are being shown with Greek sub-titles.

Kuykendall at M-KTA Calls Decree 'Stupid'

(Continued from Page 1)

alyzed the decree paragraph by paragraph for the convention members.

Kuykendall declared the Federal ruling was stupid because the Government officials who investigated and drafted the bills were not qualified, because of lack of experience in the motion picture industry, and consequently were ignorant of many vital factors. And because the operators didn't consent to the measure but were forced to agree it has been named unjustly. He indicated that the law has numerous loopholes which favor the distributors, putting the operators at his mercy.

The MPTOA prexy concluded with the desire that the operators work together and with the aid of the general public show the Government its mistake and by this procedure get a revision on the bill.

B. R. Biechele was elected president of the organization for the coming year, with T. W. Edwards, vice-president and Fred Meyn secretary-treasurer. Directors elected were: Directors of Kansas, C. A. Schulz, Fred Meyn, J. E. Pennington, H. F. Strowig; Directors of Missouri, T. W. Edwards, Cassil Rex Barrett, George Hartmann.

Committee Drafts Rules For Academy's Awards

(Continued from Page 1)

Wanger, Academy prexy and chairman ex-officio, presided.

As in the past few years, all of the Guilds will again participate in the Awards selections and each has designated six of its members to serve on the Awards Committee. Guild reps are:

SAG—Noel Madison, Paul Harvey, Dorothy Tree; alternates, Gunter Kingsford, Rod LaRocca and Lloyd Nolan.

DG—George Stevens, Mervyn LeRoy and Sam Wood; alternates, Ernst Lubitsch, Henry Hathaway and Lesley Selander.

SWG—Charles Brackett, Jane Murnin and Allan Scott; alternates, Richard Macaulay, Talbot Jennings and Frank Patton.

Others on the Committee: PRODUCERS—David O. Selznick, Jack L. Warner and Darryl Zanuck; alternates, J. Frank Freeman, E. J. Mannix and Joe Pasternak.

SCIENCE BRANCHES—John Aalberg, John Arnold and Jack Otterson; alternates, Grover Laube, Lyle Wheeler and Ray Wilkinson.

ACADEMY OFFICERS ex-officio, Frank Capra, Edward Arnold, Robert Riskin, John Aalberg and Donald Glidhill.

WB Casts "Dive Bomber"

Hollywood.—Warner Bros. has cast James Cagney, George Brent and Ronald Reagan for "Dive Bomber," aviation story by Commander Frank Weed. Lloyd Bacon will direct.

New Film Library At N. Y. University

N. Y. University is forming a new film library to take over the 16 mm. films formerly handled by the Commission of Human Relations. Prof. Herbert Dorau heads a university staff board to manage the library, with Alice Kelher, formerly of the Commission and now on the N. Y. U. faculty to be associated.

Commission of Human Relations had a folio of 57 subjects, excerpts from Hollywood-made entertainment films, that were used to start classroom discussions. N. Y. U. will prepare a new list of available subjects about the first of the year.

Small Houses May Get Realism of Fantasound

Camden, N. J.—Considerable degree of the realism of RCA Fantasound may be available to small houses soon, in addition to the larger key stands, through the medium of RCA Panoramic Sound, it was said here yesterday by Edward C. Cahill, Photophone division manager.

Cahill states that the Panoramic Sound supplements standard sound systems at a small fraction of the cost of the elaborate Fantasound which RCA developed for Disney's "Fantasia" after a long period of research. RCA Panoramic Sound principles have been applied experimentally by Warner Bros. in "The Santa Fe Trail," now being released.

Panoramic Sound does not render obsolete nor unnecessary any component parts of the standard sound system, the only alteration to the regular system, other than the simple soundhead attachment, is the insertion of an auxiliary variable gain amplifier in the link circuit between voltage and power amplifier, Cahill points out.

Major Release is Sought For Government's "Hydro"

Gunther V. Fritsch, producer-distributor of the U. S. Dept. of the Interior's "Hydro" is in town with Stephen B. Kahn, author of the script, to seek a major release for the short.

Team Donlevy-Tamiroff Again

Hollywood.—Brian Donlevy and Akim Tamiroff will be reunited on the screen by Para. in "Buy Me That Town," racketeering story which will have Preston Foster in the cast.

Cuba Wants Reforms Based on N. Y. Decree

(Continued from Page 1)

new theater being unable to open, and notices have been posted by film companies that wage reductions up to 50 per cent will have to be put into effect shortly if the existing measure is retained in its present form.

Proposals of a compromise by the exhibitors, the acuteness of the product shortage and unemployment situation which may follow, and the fact that Cuban film business is virtually standing still are factors which should force some speedy settlement of the situation.

Terms of the exhibitors' suggested compromise are as follows: (1) That pictures be contracted for in lots of not more than 10, with the obligation on the part of the distributor to preview at least four pictures before the contract is signed. (2) That contracting for pictures not yet produced or in the process of distribution be prohibited. (3) That there be established a Board of Coordination in conjunction with the Ministry of Commerce, composed of representatives of all parties concerned with the purpose of regulating the functioning of the motion picture business and with the power to solve all that may arise, including the power to arbitrate or conciliate any controversy which may develop between exhibitors and distributors or among the distributors or among the exhibitors.

In the exhibitors' memorandum to the Minister of Commerce, it is pointed out that block-booking and blind-selling have been stopped in the U. S., that blind-booking has been prohibited in England for some years, and that in most European countries contracts call for small quantities of pictures which are previewed.

The exhibitors state in their brief that they remain unalterably opposed to a suggested plan of booking for six-month periods in advance, and assert that under the present system of booking and buying the independent producer has his market too restricted because exhibitors have already been sold more pictures than they can use.

Cooper, Jane Withers Teamed

Hollywood.—Jackie Cooper and Jane Withers will be teamed by Columbia in "Her First Beau" adapted from the Colin Clements-Florence Ryerson play "June Mad." Cooper, and the director, J. Theodore Reed, were borrowed from Para., Miss Withers from 20th-Fox.

Swing Influence?

Worcester, Mass.—It's a good trick, according to the sign on the Capitol Theater Marquee: "Northwest Mounted Police" "Dancing on a Dime."

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Love Thy Neighbor"

with Jack Benny, Fred Allen, Mary Martin, Rochester, The Merry Macs, Verree Teasdale, Virginia Dale

Paramount 82 Mins.

A SURE-FIRE GROSSER PACKED WITH LAUGHS, BRIGHT SITUATIONS AND MELODIES. A NATURAL FOR ALL STANDS.

Riding to the current cinema scene via one of the most intensive advance build-ups a feature film has enjoyed, "Love Thy Neighbor" packs the power to grab grosses in every situation, not only because of the entertainment it offers, and the magnetic names of Benny and Allen in the same production, but, too, the radio "feud" of the comedian-leads which has made them a vortex of public attention wherever there is a receiving set. Here is top-flight diversion—light, swift-moving, and cleverly presented. Audiences in all brackets will go for and to this one, for nothing can attract them currently as well as a laugh fest. Barbed dialogue, humorous situations, riotous invectives, good production numbers and neat melodies pervade the footage.

Benny and Allen are excellent in their roles, as is the lithe, attractive Mary Martin who contributes much to the proceedings visually and vocally, while Eddie Anderson ("Rochester") is at his best. Virginia Dale, Verree Teasdale and the Merry Macs also score. Mark Sandrich both produced and directed, with results which begot only admiration. There is a natural note to the sequences, and they are held together firmly, although the story is very simple in structure. This recounts the bitter enmity between Benny and Allen. Mary Martin, cast as the latter's niece, tries to patch matters up with only sporadic success. She joins Benny's show; usurps the name of another girl in the cast (leading to typical musical comedy complication); falls in love with Jack; and finally weds him. The Benny-Allen "battle" reaches its most spectacular stage in a wild and exciting chase in speed boats,—as hilarious a bit as Hollywood has fabricated all season. Other elements of the story find Benny "stealing" the Merry Macs, and Allen "stealing" Rochester. Write "Love Thy Neighbor" in date books as a b.o. winner.

CAST: Jack Benny, Fred Allen, Mary Martin, Verree Teasdale, Eddie Anderson, Virginia Dale, Theresa Harris, Richard Denning, Jack Carson, Barnett Parker, Russell Hicks, Mary Kelley, Chester Clute, The Merry Macs, Merriell Abbott Dancers.

CREDITS: Producer and Director, Mark Sandrich; Original Screen-play, William Morrow and Edmund Beloin, Ernest Pagano and Z. Myers; Sound Mixer, Harry Lindgren; Film Editor, Le Roy Stone; Art Directors Hans Dreier, Roland Anderson; Director of Photography, Ted Tetzlaff.

DIRECTION, Skillful. PHOTOGRAPHY, Fine.

To Film "Flight Surgeon"

West Coast Bureau of THE FILM DAILY Hollywood—Twentieth Century-Fox will film Cameron Rogers and H. E. Halland's book, "Flight Surgeon," dealing with missions of mercy by airplane with most of the filming being done at U. S. Naval Air Station at Pensacola, Fla.

"Chad Hanna"

with Henry Fonda, Dorothy Lamour, Linda Darnell

20th-Fox 86 Mins. (HOLLYWOOD PREVIEW)

EPISODIC STORY OF EARLY CIRCUS DAYS TELLINGLY PICTURIZED WITH EFFECTIVE BLENDING OF ACTION, ROMANCE AND COMEDY.

Early circus days in New York State are tellingly picturized in Technicolor, and although the story is rather episodic, Director Henry King has effectively blended the action, romance and comedy. Nunnally Johnson, who produced the picture, had a rather difficult task in scenerizing Walter D. Edmonds' story, "Red Wheels Rolling," but came through with a good job.

A rather unusual set of interesting characters are seen during the picture's 86 minutes. Henry Fonda is a country boy working along the canal. When Dorothy Lamour, a dazzling and beautiful circus rider, plays his home town he becomes infatuated with her. Fonda is ideally cast and furnishes an excellent portrayal, Dorothy is highly capable as the performer, who has had many admirers, but has not been successful in love.

Linda Darnell is very good as the country girl, who is determined to make good and rise above her drab, sordid surroundings. She plays the daughter of brutish O'n Howland, who hunts escape slaves for the reward money. Guy Kibbee is splendid as a farmer who was forced into circus business when he got one on a mortgage and has never stopped bemoaning his fate. Jane Darwell is good as the circus' fearless, fat woman. John Carradine does fine work as the circus' advance agent, while Ted North, Roscoe Ates, Frank Thomas, Sarah Padden, Frank Conlan, Paul Burns and Edward Conrad are among the principals.

The story is laid in 1841. Fonda joins Kibbee's circus as a roustabout and wagon driver. Linda also joins the circus, but Fonda's chief interest is in Dorothy Lamour. When Linda's father, Howland, catches up with the circus and upbraids Linda for running away from home, Fonda tells him and Linda are married.

Fonda and Linda do marry, and Dorothy, who had joined another circus, makes an unexpected appearance at their wedding party. Fonda is still infatuated with Dorothy, and when he quarrels with Kibbee and Linda, he runs off and keeps a rendezvous with Dorothy. She finally convinces him that he is really in love with Linda, although he may not realize it. Fonda returns to Linda and also acquires an elephant that saves Kibbee's circus from disgruntled spectators.

CAST: Henry Fonda, Dorothy Lamour, Linda Darnell, Guy Kibbee, Jane Darwell, John Carradine, Ted North, Roscoe Ates, Ben Carter, Frank Thomas, Olin Howland, Frank Conlan, Edward Conrad, Edward McWade, Edward Mundy, George Davis, Paul Burns, Sarah Padden, Leonard St. Leo, Elizabeth Abbott, Tully Marshall, Almira Sessions, Virginia Brissac, Si Jenks, Victor Kilian, Louis Mason, Charles Middleton.

CREDITS: Associate Producer, Nunnally Johnson; Director, Henry King; Screenplay by Nunnally Johnson, from story, "Red Wheels Rolling," by Walter D. Edmonds; Cameraman, Ernest Palmer and Ray Rennan-

★ SHORTS ★

"Raggedy Ann"

Paramount 19 mins.

Good Cartoon

As a Christmas release, this cartoon number should appeal particularly to kids. It is sentimental, and the story is nicely worked out. Max Fleischer produced, with the story adapted from the works written by Johnny Gruelle. A little girl goes to a toy store to buy the Raggedy Ann doll in the window. But she is told by the owner that she must also buy the Raggedy Andy sewed to it, as they go together. She only has the price of one and he tells her the story of why the two dolls are joined together, finally giving her both of them as she dejectedly turns to leave the shop. Subject is in Technicolor.

han; Technicolor Director, Natalie Kalmus; Associate, Morgan Padelford; Art Director, Richard Day; Associate, George Dudley; Editor, Barbara McLean; Music by David Buttolph.

DIRECTION, Effective. PHOTOGRAPHY, Eye-filling.

"Labor and Defense—1941"

RKO-MOT 19 mins. Timely and Interesting

Particularly significant and interesting is this comprehensive picture of labor today. With the nation girding itself on every hand for a vast arms program costing billions, the part of labor in this program is the key to its success or failure. The subject deals with the A F of L and the CIO, presents the presidents of both unions in action, introduces the late Samuel Gompers, and traces the development of the two big unions. Other outstanding labor leaders get their share of attention, and the subject of strikes is graphically dealt with. The film is important from many standpoints, and the public interest in it should be widespread.

"Bagdad" Canadian Bow Aids Coventry Victims

Toronto—Canadian premiere of "The Thief of Bagdad" will be held in Ottawa's Elgin Theater on Dec. 23, with the entire proceeds going to the victims of the Nazi raid on Coventry, Eng. Receipts are to be cabled to the mayor of Coventry. Seats will sell for \$2.50 top.

Melody Ranch

A REPUBLIC PICTURE

GENE AUTRY with **JIMMY DURANTE** **ANN MILLER**

"Then, Gene grabs the bull by the horns. The bull is down; the bull is up! Gene is down; Gene is up! Up ... down ... up ... down! It's gettin' monotonous!"

and BARTON MACLANE • BARBARA ALLEN (VERA VAGUE)
GEORGE "GABBY" HAYES • JEROME COWAN • MARY LEE
JOSEPH SANTLEY-DIRECTOR

10 Features Added To Shooting Total

(Continued from Page 1)

cluding Harry Sherman's "Privates On Horseback," 34th of Paramount's Hopalong Cassidy film series starring William Boyd, with Russell Hayden and Andy Devine in the principal roles and Eleanor Stewart in the feminine lead opposite Boyd. Lesley Selander is directing.

At M-G-M: Six shooting, including "Billy the Kid," western drama, starring Robert Taylor with Brian Donlevy and Ian Hunter. Frank Borzage directing and Irving Asher producing. Also "Andy Hardy's Private Secretary," new Hardy Family film, with the regular members of the cast which includes Lewis Stone, Mickey Rooney, Fay Holden, Ann Rutheford and Sara Haden, and the launching of a brand new singing starlet, Kathryn Grayson. George Seitz directing.

At RKO: Four shooting, including Frank Ross-Norman Krasna's initial production, romantic comedy, "The Devil and Miss Jones," starring Jean Arthur. Edmund Gwenn, Charles Coburn, S. Z. Sakall, Walter Kingsford, Edwin Maxwell, Richard Carle and Edward Fielding set for important roles. Sam Wood directing. Norman Krasna authored both the original story and the screenplay on which "The Devil and Miss Jones" will be based, Harry Stradling cameraman; and "Show Business," comedy, featuring Elyse Knox and Terry Belmont with Alan Mowbray, Keye Luke, Carol Hughes and Donald MacBride in the major roles. Also set for important parts are Elisabeth Risdon, Jane Paten, Bradley Page, Manton Morland and Chester Clute. Producer, Howard Benedict with Irving Reis directing.

At Republic: Two shooting, including "Petticoat Politics," one of the Higgins family series, with Roscoe Karns, Ruth Donnelly, Spencer Charters, Lois Ranson, George Ernest, Polly Moran and Alan Ladd. Director, Erle C. Kenton, Producer, Robert North.

At 20th Century-Fox: Six shooting, plus two which go next week. Latter are "Ride On, Vaquero," next

Bonus for 5,400

At Bausch & Lomb

Rochester—Bausch & Lomb Optical Co. has announced an extra week's compensation to be paid Monday, Dec. 23, to its approximately 5,100 employees here and about 300 employees in the company's branch offices.

"Although our expenses during this year have been unusually heavy because of our expansion to meet the greatly increased requirements of the national defense program, we are pleased that the results of the year's operations will again permit us to show our appreciation of your assistance and co-operation," the company told its employees.

Arbitration for Ascap, BMI? AAA in Offer; Ascap Decree in 48 Hours?

(Continued from Page 1)

its services to both Ascap and BMI. It is understood that the AAA has offered to arbitrate any controversy that may arise from a consent decree or a contract establishing trade practices. It was reported that the panels of arbitrators and rules of procedure in all parts of the country would be at the disposal of both organizations.

Meanwhile, it was learned that a consent decree in the six-year-old anti-trust suit filed in New York against Ascap by the Department of Justice may be agreed upon within 48 hours.

Ontario Gov't to Train And License Operators

(Continued from Page 1)

mier Mitchell Hepburn has determined to go ahead with a plan to have motion picture projectionists trained under the auspices of the Ontario Government which will give students a 12-months' course of instruction at a cost of \$100 each. The course will open shortly under the auspices of O. J. Silverthorne, chairman of the Ontario motion picture bureau and censor board.

Premier Hepburn brushed aside a protest from Brantford that many projectionists were out of positions and that the course was untimely. He said the Government was responsible for licensing theaters and inspecting them for fire protection and as the greatest fire hazard was in the projection room it followed that the Government which licensed the projectionists should pass upon their qualifications.

The projectionist student will receive a certificate of qualification when he passes the Government tests.

Charley Stone at Oriental

Chicago—Charley Stone, formerly at the RKO Palace, is the new musical director at the J L & S Oriental.

Cisco Kid feature starring Cesar Romero with Chris-Pin Martin, Mary Beth Hughes and Lynne Roberts. Herbert I. Leeds directing; and, "Dead Men Tell," next of the Charlie Chan series with Harry Lehman directing. Sidney Toler and Sen Yung in the featured roles. Co-producers, Ralph Dietrich and Walter Morosco.

At Universal: Six shooting. None scheduled to go this week.

At Warners: Six shooting. None scheduled to go this week.

At Monogram: Geo. W. Weeks' fifth of the "Range Buster" series, "Prairie Schooldays," with S. Roy Luby directing.

Ted Richmond's first Henry Armetta starring vehicle for Producers Releasing Corporation, as yet untitled, with Jean Yarborough directing. Irish Meredith only other member cast. Story and script was written by Al Martin.

WB, Para. Music Firms Sign New 10-Year Ascap Contracts

Music publishing interests controlled by Warner Bros. and Paramount have signed new 10-year contracts with Ascap. It is understood that contracts between M-G-M's music companies and Ascap have been prepared but not yet inked, although every indication points to signatures shortly.

While Paramount has not instructed its theaters to avoid using BMI music, it is reported that the theaters have been warned to be sure that all licenses are in order for all music.

Industry to Make Army's Pix on Non-Profit Basis

Washington Bureau of THE FILM DAILY

Washington—West Coast studios under the direction and supervision of the Army's Signal Corps, will produce an undetermined number of training subjects on 16 mm. and 35 mm. sound films, THE FILM DAILY was told by Major Richard T. Schlosberg of the Signal Corps. Major Schlosberg emphasized that the industry has agreed to produce the films on a non-profit basis.

Topics and number of subjects to be produced have not been finally determined, it was stated. The new training films, however, are expected to follow more or less the same pattern as those now on hand which were produced by the Signal Corps.

Major Schlosberg said any reports about how much the Army would spend in such production were unfounded as this is not known yet. He pointed out that this will be the first time the Signal Corps has come outside its own production facilities for training subjects.

Ainsworth Names New Wis. ITPA Committees

Milwaukee—President W. L. Ainsworth, Fond du Lac, of the ITPA of Wisconsin and Upper Michigan, Inc., has named new committee members as follows:

LEGISLATIVE — Charles W. Trampe, Milwaukee; F. J. McWilliams, Madison; Henry Ringling, Baraboo; J. P. Adler, Marshfield, and Milton Ellis, Beloit.

CONVENTION — Trampe, Bert Nathan and Oliver Schmidt, all of Milwaukee.

FINANCE — A. C. Gutenberg and Oliver Trampe, both of Milwaukee, and A. C. Berkholtz, West Bend.

MEMBERSHIP — Mark Morgan, Cedarburg; Mrs. Frank Eckhardt, Wisconsin Rapids and George Langheinrich, Milwaukee.

Louis Arlove, M-G-M exploiteer, publicity man.

F & M Wins Action Against Ex-Counsel

(Continued from Page 1)

Marco, Inc., and two of its Missouri affiliates, have announced that they will file a motion for a new trial. If this request is denied by Judge Ward, it is probable an appeal will be taken to a higher court from his decision.

The ruling in favor of Fanchon & Marco as handed down by Judge Ward orders that 214 notes for \$200 each executed by F & M Dec. 3, 1936, and payable to Leahy, be canceled and annulled. These were the outstanding unpaid notes of a series of 325. The Court also ordered that a temporary injunction be made permanent. It enjoins the defendant attorneys from prosecuting any legal action to collect on the unpaid notes; to dispose of the notes or otherwise attempt to realize on them.

Fanchon & Marco had brought suit for \$42,200, as the return for legal fees already paid to Leahy, Walther and Hecker, but Judge Ward held that the amount recoverable was but \$30,876, which, with interest added and a credit deducted, left the balance of \$33,500 for which the judgment was given.

Expect to Raise \$300,000 At Chicago Xmas Benefit

Chicago—City officials and others promoting Mayor Kelly's Christmas benefit tonight predict that more than \$300,000 will be collected for the Christmas Fund. An attendance of 25,000 is expected.

More than 300 union operators will donate their services for the Movie Christmas Basket Parties to be held in Chicago theaters on the morning of Dec. 23. It is expected that 40,000 baskets will be collected for the needy.

Towers Theater Suit Shifted to U. S. Court

Philadelphia—Suit of Towers Theater Co. of Camden against Twentieth Century-Fox has been shifted from local Common Pleas Court to U. S. District Court on request of the defendant's attorneys. Date for trial will probably be set late this week and should come up after the middle of January. Harry A. Kalish is now attorney for the plaintiff Richardson Dilworth, first counsel, being called out of town.

Baudoin New "Czar" Of French Industry

Vichy (By Cable)—With Pierre Laval out as Vice-Premier, Premier Petain has designated Paul Baudoin, Secretary of State, as the film industry's "czar," with Jean-Louis Tixier-Vigancourt as aide. Rene Plouquin continues as Government Film Commissioner.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 120

NEW YORK, THURSDAY, DECEMBER 19, 1940

TEN CENTS

SEES QUALITY, NOT COST, TO FIX TERMS Wolfson Calls Miami Exhib. Conclave on Decree

**Wometco Circuit President
Sponsors Meet on Dec. 31;
All Theater Men Invited**

An unofficial national convention of exhibitors will be held in Miami on Dec. 31 for the purpose of discussing all phases of the consent decree in the Government's equity suit. The meeting is being called by Mitchell Wolfson of Wometco Theaters. While the sessions are expected to be attended largely by exhibitors of the Southeast, theater owners everywhere are invited.

Affair is said to have no exhibitor organization sponsorship, exhibitors of any or no affiliation being welcome.

Ascap Consent Decree Not Related to Radio

If and when a consent decree is entered into between Ascap and the Government it would not be a settlement of the controversy between Ascap and the Radio networks, according to a statement made last night by Gene Buck, president of Ascap.

A series of conferences between

(Continued on Page 10)

Empire, Syracuse, Going To Schines Under Lease

RKO-Schine pool in Syracuse, N. Y., will be further increased on Jan. 1 when the Empire, on the Main Stem, passes to Schine under

(Continued on Page 4)

MPTOA Convention May Go to Frisco

A date for the annual MPTOA convention will be set shortly after Jan. 1, Ed Kuykendall, president, said yesterday in New York. Directors will be polled as to the time and place. Kuykendall said that while no city had been selected officially, all indications pointed to the West Coast, possibly San Francisco, as the scene of the sessions.

May Lease Theaters For Decree's Shows

Extent to which trade shows will be patronized by exhibitors when the consent decree becomes effective is expected to determine whether screening rooms or a co-operative theater will be used.

It is understood that several of the so-called "Big Five" will trade-show their pictures. at the outset

(Continued on Page 7)

Want Nation's Theaters To Play All Defense Pix

Plans for the nation's theaters to co-operate in the national defense program were formulated yesterday at a meeting of the theater committee headed by Joseph Bernhard. A move to enlist all theaters in the campaign was launched, the idea being to get exhibitors to play all

(Continued on Page 4)

**New Basis for Rentals Under Decree, Says Schaefer;
RKO Planning 40 for 1941-42; Five to Eight Films
Ready in July; Deals With Outside Producers Talked**

Film rentals under the consent decree will be based on quality rather than on the production cost of the pictures in the opinion of George J. Schaefer, president of RKO. At a trade press conference yesterday, Schaefer predicted several other changes in the

D of J Takes Hayes Off "Little 3" Suit

James Hayes, special assistant to the Attorney General, active during negotiations for the consent decree and originally slated to try the Government suit against the "Little Three," has been transferred from the motion picture unit of the anti-trust department to the food investigation, it was learned yesterday.

J. Stephen Doyle, special assistant to the Attorney General, will take Hayes' place in charge of the preparation of the "Little Three" action. Officials stated that Hayes may be re-transferred to the movie unit in the event that trial begins.



GEORGE J. SCHAEFER

sold in small groups and on their

(Continued on Page 10)

Nomikos, Skouras to N. O. for Greek Relief Meet

Chicago — Van Nomikos, Ahepa national president, and Spyros Skouras, head of the Greek War Relief drive, will confer in New Orleans tomorrow with William Ehls in connection with activities in the Gulf States.

Nomikos said here yesterday that

(Continued on Page 4)

No Borrowing for 20th-Fox

To Finance Decree Production Via Earnings

Cuban Distribs. Joining To Produce 6 in Spanish

Havana (By Air Mail)—Zenith, Afa and Tropical Films, local distributing companies, are joining in a production venture. Six Spanish language features are planned for 1941.

Twentieth Century-Fox has two ways to get the money required to finance production under the consent decree—one, to obtain it from earnings on available releases, the other, to borrow it from the bank, Prexy Sidney R. Kent declares in a message to the company's sales personnel.

Twentieth-Fox's choice is the for-

(Continued on Page 3)

Raw Stock Shortage Faces B. A. Studios

Buenos Aires (By Air Mail)—Shortage of raw stock, especially negative, is confronting Argentine producers with two exceptions, Lumiton and Argentine Sono Film. Latter two reportedly have Agfa reserves. Next shipments from the U. S. are said to be a month distant. Both EFA and Pampa Film may be forced to halt shooting unless stock is made available to them by other studios.

Briggs Quits Pathe

For New Distrib. Co.

Having resigned from Pathe, O. Henry Briggs shortly will become associated with a new distributing company, Briggs said yesterday that he expected to make a formal announcement within a week.

Briggs became president of Pathe Film Corp. in 1936, having previously been with the du Pont company since 1918.

THE **Film** DAILY

ALL THE NEWS
ALL THE TIME

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DONALD M. MERSEAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Wednesday, Dec. 18)

NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Seat.	8 1/2	8 1/2	8 1/2	+ 1/2
Col. Picts. vtc. (2 1/2%)	5 3/4	5 3/4	5 3/4	+ 1/2
Columbia Picts. pfd.				
Con. Fm. Ind.	9-16	9-16	9-16	+ 1/2
Con. Fm. Ind. pfd.	8	7 3/4	7 3/4	+ 1/2
East. Kodak	133 3/4	133	133	+ 3/4
do pfd.				
Gen. Tr. Eq.	117 1/2	117 1/2	117 1/2	+ 1/2
Loew's, Inc.	108 1/4	108 1/4	108 1/4	+ 1/2
do pfd.				
Paramount	107 1/2	107 1/2	107 1/2	+ 1/2
Para. 1st pfd.	97	96 1/2	96 1/2	+ 1/2
Para. 2nd pfd.	11 1/2	10 3/4	10 3/4	+ 1/2
Pathe Film	93 1/2	93 1/2	93 1/2	+ 1/4
RKO	3 1/2	3 1/2	3 1/2	+ 1/2
RKO \$6 pfd.	42 1/2	42 1/2	42 1/2	+ 1/2
20th Century-Fox	6 1/2	6 1/2	6 1/2	+ 1/2
20th Century-Fox pfd.	18 1/2	18 1/4	18 1/4	+ 1/2
Univ. Pict. pfd.	117	116	116	+ 1/2
Warner Bros.	3 1/2	3 1/4	3 1/4	+ 1/2
do pfd.	54	53 1/2	53 1/2	+ 1/2

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/4%	
Loew's deb. 3 1/2% 46	
Para. B way 3 1/2%	52
Para. Picts. cv. 3 1/2%	95
Warner Bros. dbs. 6 1/4% 96 1/2%	96 1/2%

NEW YORK CURB MARKET

Monogram Picts.			
Sonotone Corp.	1 3/4	1 3/4	1 3/4
Technicolor	9	8 5/8	8 5/8
Trans-Lux			
Universal Corp. vtc.	5 1/2	5 1/2	5 1/2
Universal Picts.			

U. S. Pix Into Ascot

Ascot Theater, the Bronx, will reopen Christmas Day with a policy of American-made films. House was closed over the week-end for alterations. It formerly specialized in foreigners.

Bonded Film Storage Corp.

LOWEST RATES
Twice a Day
DELIVERY SERVICE
STORAGE & C. A. PRODUCTION ROOM FILM EXCHANGE DISTRIBUTION SERVICE

Pix and Press Officials Hear Andy Roy Praised

Albany—Seventy-five theater and exchange officials, managing editors of all papers, and broadcasters were present to hear Andy Roy, dean of Warner theater managers in this territory, acclaimed as an outstanding exploiter and a credit to the biz in the film-civic relationship he established by Moe Silver, Warner zone head.

The affair was held at Jack's restaurant here. Silver asserted Roy's promotion to the Stanley Utica, largest Warner house in the territory, was richly deserved. Other speakers included Charlie Smakwitz, district manager; Max Friedman, zone booker; Jules Curley, Roy's successor at Strand Theater here, and Lou M. Golding, Fabian district manager.

Chi. Reel Fellows Club Names Weinshenker Prexy

Chicago—The Reel Fellows Club, has been organized by salesmen of the various Chicago Film Exchanges. W. E. Weinshenker of Universal has been elected president, Lou Goldberg of Paramount vice-president, in charge of public relations; A. M. Van Dyke of 20th Century-Fox, secretary and Robert Funk of Universal, treasurer. Perry Barr of the National Screen Service is sergeant-at-arms.

The new organization will hold a dinner dance in the Gold Room of the Congress Hotel Jan. 31.

MP Associates Nominate Lee, Beier, Levy for Prexy

At a luncheon meeting yesterday at the Astor the Motion Picture Associates nominated officers to be voted on in January. Jack Ellis, president, declined a nomination to run for a fourth term, and Joseph J. Lee, Fox, Nat Beier, UA, and David Levy, Universal, were nominated as candidates for president. James Frank and Jack Hatten were nominated for the first vice-presidency. Mathew Cahan, second v.-p., was renominated.

"Neighbor" Doing NWMP Biz at New York Para.

"Love Thy Neighbor" yesterday was reported running neck and neck with receipts accorded NWMP at the New York Paramount. Bob Weitman estimated the day's "take" at \$9,500. "Neighbor" is playing at regular scale, while prices were tilted for NWMP. Jack Benny made another p.a. last night.

Warner Theaters to Use Only Ascap Catalog Tunes

Only Ascap tunes are to be played in Warner theaters, the circuit headquarters here has advised all managers.

Loew's Bonus Going To 5,700 Workers

Employees of Loew's, Inc., receiving less than \$40 a week will receive a Christmas present of two weeks' salary, the bonus not to exceed \$50. Those who have been with the company six months will receive one week's salary, not exceeding \$25. A similar bonus was distributed last year. Bonus goes to 5,700 employees.

600 to Attend Luncheon For O'Shea, Bowen Today

Six hundred industry leaders and affiliates are expected to attend the testimonial luncheon for E. K. "Ted" O'Shea, Metro's new Central division manager, and John J. "Jack" Bowen, his successor as Metro district manager, in the Belvidere Room at the Hotel Astor this noon.

Harry Brandt, chairman of the arrangements committee, will serve as toastmaster. Seated on the dais will be:

William F. Rodgers, C. C. Moskowitz, Howard Dietz, George Skouras, John J. O'Connor, Sam Rinzler, Max A. Cohen, Walter Vincent, Leo Brecher, Louis Nizer, James J. Walker, Ed Saunders, Tom Connors, Jack Alcot and Martin J. Quigley, in addition to the guests of honor.

Luncheon's proceeds will go to the charity fund of the Motion Picture Associates.

Top 20th-Fox Execs. Open Studio Meetings Jan. 15

West Coast Bureau of THE FILM DAILY

Hollywood—Meeting of top 20th-Fox execs. will be held at the studio starting Jan. 15, with revision in personnel setups and production plans necessitated by the consent decree heading the agenda of business which will be discussed. Herman Wobber, sales chief, and S. R. Kent, prexy, are said to have advised the studio that the sales forces will have to be augmented.

Further meetings will also be convened by Wobber with the sales forces in the field to discuss the consent decree and its relation and effect on their business.

Portland Operators Win Wage Increase

Portland, Ore.—Basil Gray, labor relations representative of the Seattle Theatrical Federation, announces the Seattle Theater Managers' Association and Local 154, Operators, have agreed on wages for operators during 1941. A wage increase of 12 1/2 per cent for some operators is granted.

"Sun Valley" in Color?

West Coast Bureau of THE FILM DAILY

Hollywood—Twentieth-Fox is considering Technicolor for "Sun Valley," Sonja Henie starrer, which will be produced next Summer.

COMING and GOING

ED KUYKENDALL, MPTOA prexy, returned yesterday to his home in Columbus, Miss. from New York.

H. M. RICHEY, director of exhibitor relations for M-G-M, returned yesterday from Kansas City and Oklahoma City.

J. CHEEVER COWDIN, Universal board chairman, arrived at the Coast by plane yesterday for product conferences.

J. CARLOS BAVETTA, Brazilian manager for 20th-Fox, arrives here from Rio by plane next week.

JOHN EBERSON, theater architect, left last night for Washington.

BARRY FITZGERALD and MARGOT will arrive from the Coast next week to start rehearsals in Jack Kirkland's stage play, "Tanyard Street."

JAMES K. MCGUINNESS, M-G-M scenario and producer, is stopping at the Sherry-Netherland.

ANTONIO GARCIA, manager of Warner Bros. Peru office is here on a vacation.

PAT McMANN, new operator of the Stat Theater, New Britain, Conn., plans to go to Miami to see the football match on New Year of his Alma Mater, Georgetown, and Michigan State.

EMIL STERN, Essaness prexy, and his family have left Chicago for a Winter vacation in Florida.

BOB RUSSELL of the Loew-Poli, New Haven, is planning a New Year's trip to Atlantic City.

ADOLPH JOHNSON, of the Strand, Hamden, Conn., planning a Xmas trip to Miami Beach where his son Robert instructs in physical culture at MacFadden's Deauville Hotel.

JACK LAWRENCE, publicity director for the Producers Ass'n, is here from the Coast working on the Greek war charities campaign.

SIDNEY SCHWARTZ, Metro rep, in Singapore is here and stopping at the Warwick.

Theater Biz in Orient Said Best in History

Theater business in the Orient is the best in history, according to Sidney Schwartz, traveling auditor for M-G-M, who is in New York. Schwartz said that people in his territory, which includes most of Asia and the Philippines, are finding relief from the war tension by attending motion picture theaters. He will return to the Orient after the holidays.

Jules Chapman Resigns

Jules K. Chapman, assistant to Harry Thomas, Monogram district chief, has resigned and will announce a new affiliation shortly.

NATIONWIDE—BUT
NOT TOO BIG FOR
FRIENDLY SERVICE!

Postal Telegraph

CHARGES FOR TELEGRAMS 'PHONED IN
APPEAR ON YOUR TELEPHONE BILL

Day No Borrowing for 20th Cent.-Fox

(Continued from Page 1)

ner, he says, and he adds that the company does not feel that it will be necessary to turn to the banks for financing.

"We have been striving for and have attained financial independence," the Kent message reads. "We want to continue to operate with funds we earn. We need not borrow—if you continue applying the formula that has proved so effective in our annual Drive."

The sales force's most important job, Kent declares, is in getting "every possible dollar" during the next three months.

"Every dollar you earn in the next three months is worth \$1.50 to your company," he pointed out.

The consent decree, it is emphasized, means greater investment in production—"in that it is not a question of picture-for-picture schedule, but the maintenance of a schedule that will tie up more funds over a longer period than is the case now."

20th-Fox to Finish All Current Specials Apr. 15

West Coast Bureau of THE FILM DAILY

Hollywood—Production on all specials on the current 20th-Fox program is expected to be completed by April 15. Starting in January are "Blood and Sand," "Great American Broadcast" and "The Eagle Flies Again." "Man Hunt" starts in February and possibly "Belle Starr" as well, although latter may not get under way until March.

Switow Acquires Third House In Seymour, Ind.

Indianapolis—The Switow Circuit, Louisville, Ky., has acquired the Vondee Theater, Seymour, from the Vonderschmitt Circuit, Bloomington. Harry Palmer, will be retained as resident manager. The Switow Circuit also operates the Majestic and Little Theaters in Seymour.

It Had to Be "Four Fathers"

West Coast Bureau of THE FILM DAILY

Hollywood—Next in Warners' series on the Lemp family will be titled "Four Fathers." Stephen Morehouse Avery will write the story and William Keighley will direct. Gale Page and the Lane sisters continue in the cast.



● ● ● WHERE Times Square and Duffy Square converge.....at the corner of Broadway and 46th St.....thousands of citizens lined the immediate area.....to watch the impressive ceremonies attendant upon the presentation by Loew-M-G-M of its former World's Fair Information Booth.....to the U. S. Army for that service's use as a recruiting bureau.....The proceedings consisted of appropriate speeches anent the giving and receiving.....while the 40-piece band of the 16th Infantry (renowned First Division) interspersed martial airs.....The formal presentation was made on behalf of Loew-M-G-M by the company's promotional generalissimo, Howard Dietz.....and accepted by Col. E. P. Pierson, commanding officer in charge of recruiting for the Southern N. Y. District.....Maj. Ray Perkins of the 2nd Corps Area and a well-known radio artist in his own right.....presided at the loudspeaker system which carried the address to the crowd.....Manhattan's Borough Prexy Stanley Isaacs, Col. John Reed Kilpatrick of the West Side Ass'n, and Fred Bright of the Broadway Ass'n, also participated in the program.....One of the most impressive aspects of the event was what has become known as the "pulling power" of any and everything with which the forces of Leo the Lion are associated.....for no sooner had the ceremonies ceased.....than up steps the first recruit, John Veith of 177 E. 60th St.....Si Seadler, Bill Ferguson and Charley Cohen were other Leo-lites on deck.....

● ● ● PUBLICLY credited by both Jack Benny and Fred Allen with having unwittingly started their radio feud.....which was responsible for their having made "Love Thy Neighbor".....is the young violinist, Stuart Canin, who appeared in person on the Paramount Theater's stage on Tuesday night.....in connection with the pic's premiere.....The comedians have given young Canin a thousand-dollar scholarship to continue his musical studies.....which is patently a helluva fine thing to have done.....Awright, Jack and Fred,—step right up and get our renowned Order of Applause (With Two Palms).....

● ● ● JUST in case you haven't heard tell of it.....the next issue of Time (on the noozstands tomorrow).....carries a full page splash of three o' fillmland's most potent promotionalists.....the Messrs. Charles Einfeld, of Warners'; Harry Brand, of 20th-Fox; and Russell Birdwell, unattached to any one pic org.....Some of their many great biz exploits are mentioned.....Prof. Birdwell chiefly in connection with GWTW and more recently with that li'l "strip-picket" affair in behalf of David Loew and Albert Lewin's, "So Ends Our Night".....

● ● ● STUFF:.....Alberto Linares, Felix Perez, Olga Fox and Isak Eschler of the Havana offices of M-G-M have received special Leo buttons which Metro's h.o. sent them in recognition of their 10 years of service with the Havana branch of the org.....It wouldn't be surprising to see Hollywood bid for the services of Lyn Murray who composed the music heard on the "Campbell Playhouse" dramatic series,—at least he has film players Miriam Hopkins, Humphrey Bogart, Gladys George and Herbert Marshall (stars of the series) rooting for him, we are told.....From out in Greenville, Mich., comes a hunk of news that Bert C. E. Silver, owner of the Silver Theater from 1909 to 1939, celebrated his 80th birthday by occupying a special seat in the theater to which he holds "life tenure" (the Butterfield Theaters, Inc., who bought the house from Bert Silver built the seat especially for his lifetime use).....Louise Groody, who created the title role of Nanette in the musical "No, No, Nanette" on Broadway will attend the opening of the screen version by RKO Radio starring Anna Neagle which premieres at Radio City Music Hall today.

Academy to Offer New Writer Award

West Coast Bureau of THE FILM DAILY

Hollywood—A new writer award for best original screenplay, the writer or writers of which are also writers of the original story, has been authorized by M. P. Academy award rules committee.

Another new award is one for art direction in connection with films done in color. Selection of acting, directing, writing and best production awards will be the same as last year with final balloting being cast by more than 10,000 members of the industry. Class A members of Screen Actors Guild will nominate for the four acting awards, with Class A and B Actor Guild members, writers, directors, producers, technicians and Academy members voting for final selection.

A sub-committee was named to make recommendations for special awards. It consists of Jack L. Warner, chairman; Edward Arnold and Charles Brackett. A request from junior directors that an award for an assistant which was given from 1933 through 1937, be restored was discussed. Mervyn Leroy was delegated to confer with the Directors Guild board on possible procedure for such an award, with the aim that if given, it be to the assistant director showing most promising creative talent.

Albert J. Law Named General Counsel for FCC

West Coast Bureau of THE FILM DAILY

Hollywood — Albert J. Law has been named general counsel for the Pacific Coast Conference of Independent Theater Owners. For the past 11 years he was special assistant to the United States Attorney General and during that time conducted numerous investigations into all phases of motion picture industry.

Rosian Staff to Celebrate

Cincinnati—Universal's Pete Rosian and his national prize-winning salesmen will be hosts to the entire local personnel at a Christmas party in the Exchange, Saturday. A tree and gifts for all will be followed by a buffet luncheon.

Muruzetta On Rio Holiday

Rio de Janeiro (By Air Mail)—Columbia's Argentine manager, Alfredo Muruzetta, is here from B. A. for a short holiday.

WEDDING BELLS

Indianapolis — Sarah Florence Newton, Universal Exchange staff, will be married Jan. 4 to B. L. Shamburger in the West Broadway Methodist Church, Louisville, Ky.

Cushioning the Blow

A Bingo game operator in one Northeastern Pennsylvania town is seemingly trying to ease the blow his attractions are delivering to the movies by offering gift movie books as prizes for special games.

2,000 More Theaters Get Red Cross Film

(Continued from Page 1)

not completed and the session was adjourned to Dec. 31.

The reel which features Deanna Durbin and 32 other stars will be made available to approximately 50 cities in which there were no Red Cross drives in November. It is estimated that about 2,000 additional theaters will play the picture.

Foreign situation, including the British remittance proposals for the current year, was discussed, it is understood, but the renewal of the Will H. Hays' contract did not come up, presumably going over until the later date.

Attending the meeting yesterday were Hays, Barney Balaban, Jack Cohn, E. B. Hatrick, Major F. L. Herron, Joseph Hazen, W. C. Michel, Charles D. Prutzman, George J. Schaefer, Nicholas M. Schenck and Murray Silverstone.

Para-RCA Victor Tieup For Latin-American Plugs

"Love Thy Neighbor" and "Christmas in July" get plugs in an exploitation tieup the Paramount foreign publicity and exploitation department has arranged with RCA Victor on a Latin-American film-disc co-op campaign. This is the initial tieup of a series to extend over a period of months. Tieups are slated for mutual co-op between exhibitors and RCA Victor record distributors and agencies, plugging film titles, film music and names of film stars who are also Victor recording artists.

Mrs. Martha E. Branon Funeral in Charlotte

Mrs. Martha E. Branon, 86, mother of Thomas A. Branon, president of Affiliated Producers, Atlanta executive, died in Charlotte Tuesday night. Branon, who has been visiting in New York, left for Charlotte yesterday for the funeral which will be at her home, 716 Tremont Ave. tomorrow. Interment will be at Harmony Church Grove, Yadkin, N. C. Mrs. Branon is also survived by R. Branon of the Charlotte RKO exchange and M. D. Branon who is with Affiliated in Atlanta.

Mrs. Domingo Martinez Dead

Cienfuegos, Cuba. (By Air Mail)—Mrs. Domingo Martinez, whose husband is manager of the Prado, Terry and Luisa Theaters here, is dead.

Strand, Syracuse, Reopening

Syracuse, N. Y. — RKO-Schine Strand here reopens Christmas Day with the Peters Sisters vaude unit in for six days; Clyde McCoy and the Sugar Blues ork follow on Dec. 31, also for six days.

PLANTATION SHOW PLAN

Fla. Exhib. Takes Films to
Sugar Workers

Clewiston, Fla.—Possible solution to the competitive problem presented when large employers undertake to provide film entertainment in their own establishments for workers is found in the plan followed by the U. S. Sugar Corp. here.

Corporation employs thousands of Negro seasonal and permanent workers on its miles of sugar plantations, and, while Clewiston has a film theater, obviously it cannot accommodate the sugar company's workers.

To provide films, the corporation has contracted with an exhib. from an adjacent town to furnish equipment, operators and programs twice weekly, the shows being presented in each plantation's community hall. Admission charge is 15 cents.

Typical program includes a feature, preferably a Western, a serial and a cartoon comedy.

Audience reaction is terrific.

Empire, Syracuse, Going To Schines Under Lease

(Continued from Page 1)

lease, it was learned yesterday. House, originally the home of K & E legit, in Syracuse, has been dark for several months.

Lease is understood to provide for a maximum annual dark period of about seven weeks, but what policy will go in is uncertain. Pool in the same block has Keith's and the Paramount.

There is a strong possibility that the Empire will accept legit. bookings.

Want Nation's Theaters To Play All Defense Pix

(Continued from Page 1)

pictures made by the Government in connection with defense.

Among those attending were Robert Wilby, E. V. Richards, Nate Yamins, Ed Kuykendall, Harry Brandt, Charles C. Moskowitz, Leonard Goldenson and others.

Nomikos, Skouras to N. O. For Greek Relief Meet

(Continued from Page 1)

midnight film shows for the drive's benefit are expected to get under way shortly on a national basis.

Sullivan on "Lucky Baldwin"

West Coast Bureau of THE FILM DAILY Hollywood—C. Gardner Sullivan, screen writer, has been assigned to do the screenplay of 20th Century-Fox' "Lucky Baldwin."

Comerford Basketball League Names Gaughan

Scranton, Pa.—Jack Gaughan was elected president at the reorganization of the Comerford Theaters Basketball League here. At the same time plans were made for the reopening of the court league with the Capitol, West Side, Comerford, State, Strand and Riviera theaters competing. The Riviera won the straight season last year while the Capitol captured the play-off series.

Other officers elected were Bob Kileullen, secretary-treasurer, and Joseph Phillips, chairman of publicity.

Lessy Sells Diamond At Philly to Warner

Philadelphia—Stanley-Warner has purchased Mike Lessy's Diamond Theater here. Lessy's son, Perry, who has been managing the house goes to the Lindley for S-W, with Harold Barson moving to the Diamond from the Lindley.

Testimonial dinner for Lessy, who has been in film biz 35 years, is being planned.

Henie Biz in Nose-dive In St. Louis Engagement

St. Louis—Sonja Henie's Hollywood Ice Revue played to 33 1/3 per cent fewer cash customers at the Arena this year. Attendance was 51,192 as against 80,749.

Good Housekeeping Calls Off Single Feature Drive

Single features drive and short subjects promotion has been dropped by Good Housekeeping's Movie Forum department, along with awards for distinctive subjects.

Local 74 Re-elects O'Connell

New Haven—Re-electing its entire slate, Local No. 74, stage employees, is again headed by John S. O'Connell, president, and Daniel Cummings, business agent. Charles McBride is vice-president, Robert C. Watson, recording secretary, Charles Langley, financial secretary, and Edward O'Connell, Derby business agent. The Executive Board includes all officers, and William O'Connell and Harry Feldman. The annual Christmas party will be omitted in favor of a celebration in May to honor the union's fortieth birthday here.

"Gang Busters" as "U" Serial

West Coast Bureau of THE FILM DAILY

Hollywood—Screen rights to the radio program, "Gang Busters," have been acquired by "U" from Metro for serial purposes.

Endert Sells to Spangler

Friday Harbor, Wash.—Clarence A. Spangler has acquired the Island Theater here from George Endert, Jr.

"U" Sticks to Tender Plan Despite Kicks

Universal's announced plan to retire part of its outstanding first preferred via tenders from stockholders, with \$1,000,000 set aside for such purpose, stands despite a protesting memorandum presented to the board on Tuesday by two directors, Samuel I. Posen and J. Dabney Penick, it was learned yesterday.

In the memorandum, Posen and Penick said:

"We believe that it is reckless to retire any of the preferred stock by reason of the following fact: During the years 1936 through 1938 the company's losses were \$3,511,595 while profits during the years 1939 and 1940 were \$3,553,621 making total net earnings for the years 1936 through 1940 \$41,725. Of the total earnings of the company for the period \$1,560,000 are blocked in Great Britain.

"Apart from the foregoing we believe that the retirement is improper because it is the primary duty of the company to pay dividends to preferred stockholders and a secondary duty to provide the benefits of a sinking fund. Where funds are available in amount sufficient to pay all accumulations of unpaid dividends it is a form of coercion to divert such funds to the accumulated payments on the sinking fund. The purchase of any preferred stock at a price in excess of \$110, the call price, will result in the unlawful payment of dividends to some stockholders and not to others.

"In inviting tenders it is good practice to set a fixed price at which tenders will be accepted to the extent of the fund available thereby giving each stockholder an equal opportunity to dispose of his stock. We further believe the approval of common stockholders should be procured."

Denis to Seek Major Release for S. A. Film

Armand Denis leaves for South America on Jan. 15 to make arrangements to produce a combination documentary-entertainment film on that continent. Same unit that made "Dark Rapture," released by Universal in 1938, will accompany Denis. A major company outlet will be sought for the film.

New Pact for Col. Joy

West Coast Bureau of THE FILM DAILY

Hollywood—Col. Jason Joy, public relations head at 20th Century-Fox, studio since 1935, has been signed to a new two-year contract.

Hopalong in Denver's Para.

Denver—Fox Intermountain's Paramount theater, circuit's top house, will play the Hopalong Cassidy series. Deal follows a test showing.





WHAT AMERICA NEEDS IS A RIOTOUS ROMANCE!

The scene above shows **CLARK GABLE** and **HEDY LAMARR** after a battle in which she bites, kicks and crowns him but it's just her way of demonstrating love. "**COMRADE X**" is much funnier than "Ninotchka" and easier to pronounce. It is a King Vidor Production with Oscar Homolka, Felix Bressart, Eve Arden. Screen play by Ben Hecht and Charles Lederer. Directed by King Vidor. Produced by Gottfried Reinhardt. **M-G-M** made it with both eyes on your box-office!

\$588,819 in Sound Reproducer Exports

Washington Bureau of THE FILM DAILY

Washington—Exports of sound reproducing equipment for the first 10 months of 1940 are valued at \$588,819, the Department of Commerce reported yesterday. October exports totaled \$58,455.

Sound recording exports for the 10-month period are valued at \$127,724, with October shipments accounting for \$30,053.

Exports of movie cameras, standard gauge (35 mm.), are listed at 11 in number with a value of \$2,662 for October, and 84, valued at \$37,444, for the 10 months, less than 35 mm. were 556 in number, valued at \$16,376, for October, and 7,013, valued at \$191,217, for the 10 months.

Standard Gauge Exports
Standard gauge (35 mm.) projectors are reported at 129 with a value of \$49,453 for October; 835, valued at \$316,027 for the 10-month period. Sub-standard gauge (less than 35 mm.) silent, are reported at 746 with a value of \$18,202 for October and 9,970 with a value of \$252,746 for the 10 months; sound, 79, valued at \$18,165 for October, and 1,354, valued at \$208,266 for the 10 months.

Statistics on film exports were also made public. Under negative (exposed or exposed and developed) features (4,000 linear feet or over) are reported at 729,736 linear feet with a value of \$26,300 for October, and 6,370,730 linear feet valued at \$269,620 for the 10 months. Newsreels are reported at 24,947 linear feet, valued at \$811 for October, and 231,734 linear feet, valued at \$8,670 for the 10 months. Others in this class (shorts, etc.), are listed at 192,028 linear feet for October with a value of \$7,945 and 1,464,161 linear feet, valued at \$65,269 for the 10 months.

Positive Film Exports
Under positive, features (4,000 linear feet or over) are reported at 12,124,300 linear feet, valued at \$226,429 for October, and 118,733,250 linear feet, valued at \$2,273,230, for the 10 months. Newsreels are reported at 554,151 linear feet, valued at \$9,748 for October, and 5,677,882 linear feet, valued at \$103,691 for the 10 months. Others, 3,322,954 linear feet for October, valued at \$90,257 and 26,445,076, valued at \$623,671 for the 10 months.

Sensitized, not exposed, exports are listed as follows: less than one-inch in width, positive film, 1,509,698 linear feet, valued at \$22,551 for October, and 10,968,891 linear feet, valued at \$110,406 for the 10 months; negative film, 867,645 linear feet, valued at \$24,438 for October, and 17,030,625 linear feet, valued at \$377,143 for the 10 months; one inch or more in width, positive film, 5,251,516 feet, valued at \$48,714 for October, and 56,441,385 feet, valued at \$510,349 for the 10 months; negative, 1,025,671 feet, valued at \$25,192 for October, and 14,928,780, valued at \$411,001 for the 10 months.

U. S., British and Canadian Gov'ts Co-op With 20th-Fox on "The Eagle Flies Again"

West Coast Bureau of THE FILM DAILY

Hollywood—Twentieth-Fox will have the co-op of the U. S., British and Canadian Governments in the production of "The Eagle Flies Again," which Henry King will direct with cast including Henry Fonda, Don Ameche, Betty Grable, Cesar Romero.

British Government will provide actual aerial battle footage showing the R.A.F. in action, while arrangements have been completed with the Canadian Government to film training sequences in the Dominion. U. S. will loan the studio services of big bombers and pilots.

Kupper's Division Wins 20th-Fox Drive Honors

Annual Kent Sales Drive conducted by the 20th-Fox field forces wound up last week with honors going to the Western division headed by William J. Kupper. Branch honors were won by the Washington and Salt Lake City exchanges in the national and international groups, respectively. District honors were captured by the Atlantic division.

Prizes will be awarded as follows:
For Total Delivery—Cash prizes go to manager, salesman and bookers at the branches finishing among the first six in both the National and International lists of exchanges.
First prize: Three weeks' extra salary; Second prize: Two weeks' extra salary; Third prize: One week's extra salary; Fourth prize: Ninety per cent of one week's salary; Fifth prize: Seventy-five per cent of one week's salary; Sixth prize: Sixty per cent of one week's salary.

For Shorts Delivery—Cash prizes will be distributed among manager, salesman and bookers at the winning offices, in proportion to salary: First prize: \$750; Second prize: \$500; Third prize: \$350; Fourth prize: \$250; Fifth prize: \$150.
For Movietone News Delivery—Cash prizes will be distributed among manager, salesman and bookers at the winning offices, in proportion to salary: First prize: \$350; Second prize: \$250; Third prize: \$175; Fourth prize: \$125; Fifth prize: \$100.

"Western Union" Release Delayed for One Month

Twentieth-Fox will release "Tall, Dark and Handsome" on Jan. 24 instead of "Western Union" originally set for that date. Shift is due to the fact that Technicolor's plant is now completing the job of furnishing "Chad Hanna" prints, and will not be able to have sufficient prints of "Western Union" ready for the Jan. 24 date, it is said. "Western Union" is now in the cutting room; "Handsome" will be finished next week. Mid-February release for "Western Union" is planned.

Leases Ambassador for 'Ecstasy'

Ambassador Theater has been leased by Samuel Cummins for five years. Cummins a distributor and producer, plans to open the house Dec. 25 with "Ecstasy," which he is distributing. Picture has been passed by the N. Y. censors following the addition of several scenes depicting the marriage of the principals.

Polish Pix in Wilmington Bow

Wilmington, Del.—"Jeszeze Polska Nie Zginieła," Polish pix, will have its first U. S. showing at the nabe Ace Theater here Jan. 13-14.

Ritter on Witness Stand For Midwest in Co-op Suit

Detroit—Testifying for the plaintiff at the trial of Midwest's suit against Co-operative Theaters of Michigan here yesterday, James C. Ritter, former President of Allied States, declared the situation run by his Rialto theater was changed for product of some companies, apparently by mutual agreement, when the Wisper & Wetman circuit bought the Easttown Theater.

Both houses were members of Co-operative, and Ritter sought to secure arbitration under terms of basic Co-operative agreements, but was unable to do so when arbitration was refused.

20th-Fox British Feature Set for Release on Jan. 31

"The Girl in the News," 20th-Fox British production, will be released here on Jan. 31, it was learned yesterday. Film stars Margaret Lockwood.

The Shepherd's Bush studios have just completed "Kippis," H. G. Wells story with Diana Wynyard, Michael Redgrave and Phyllis Calvert, and it, too, is designed for American release. Feature was turned out in 11 weeks. At present, the studios are working on "Once a Crook"; cast includes Gordon Harker and Sidney Howard.

ATOI's Suit Contesting Indianapolis Tax Valid

Indianapolis—The ATOI suit, filed in the name of the Hollywood Theater Corp., contesting the legality of the collection of a license fee of \$100 a year by the city of Indianapolis, was held valid by Superior Court Judge Russell J. Ryan. The case was appealed to the Appellate Court, according to the attorney for the association.

Paramount Buys Story

West Coast Bureau of THE FILM DAILY
Hollywood—Paramount has bought a magazine short story by Anne Wormser titled "The Baby Had a Hard Day" as a vehicle for Sterling Hayden and Virginia Dale. Sol C. Siegel will produce. F. Hugh Herbert and Hans Kraly have been assigned to prepare the scenario.

May Lease Theaters For Decree's Shows

(Continued from Page 1)

of the plan, in their projection rooms. If the screenings draw overflow crowds, it is likely that the five companies in each exchange city will lease a small theater where all trade shows will be presented. Expense of the theaters will be shared by the distributing organizations.

George J. Schaefer, RKO president, yesterday said that he believed the co-operative theater ultimately would be the plan adopted.

Cowdin on Coast to Set 1941-42 Universal Lineup

West Coast Bureau of THE FILM DAILY

Hollywood — J. Cheever Cowdin, Universal board chairman, who arrived yesterday by plane for studio conferences, is expected to remain here for a fortnight or three weeks.

He will huddle with Prexy Nate Blumberg, William A. Scully, sales chief; Cliff Work, Matthew Fox and Joseph Seidelman on the 1941-42 lineup. Latter is expected to be virtually completed by the time Cowdin returns East.

20 Indianapolis Theaters Holding Xmas Food Shows

Indianapolis — Christmas food shows given by 20 local film theaters and sponsored by the Indorsers of Photoplays and PTA groups are expected to meet the needs of several thousand unfortunate families. A special Christmas party is planned for the Flower Mission Hospital, Dec. 24 sponsored by the Indianapolis Variety Club.

Bingo at New York State Fair Coliseum Fades Out

Syracuse, N. Y. — Dollar Bingo game at the New York State Fair Coliseum here has folded.

Fitzers have tilted the admission for their Bingo-film policy at the Rivoli theater and Elks Temple to 68 cents, with biz reported light. Bingo at Al Gilbert's Riviera and Brighton on the South Side is going great guns.

Mrs. Quatrano Recovering

Waterbury—Mrs. Fred Quatrano of the Lido is recuperating from an operation at St. Vincent's Hospital, Bridgeport.

Porter Again Heads Union

Philadelphia—William Z. Porter, of Monogram, was re-elected as president of the local exchange employees union at the week-end meeting and election of officers for 1941. Ferd Fortunate, of Universal, was elected vice-president.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Dr. Kildare's Crisis"

with Lew Ayres, Lionel Barrymore, Laraine Day, Robert Young

M-G-M 75 Mins.
LATEST DR. KILDARE PICTURE A WELCOME ADDITION TO THE POPULAR SERIES.

Utilizing the familiar cast and hospital backgrounds of the Dr. Kildare pictures, plus a "guest" appearance by Robert Young, M-G-M has produced another enjoyable addition to the series. And the series' many fans will be well satisfied with the smoothly-directed and acted solution of the young doctor's latest problem.

While the story is somewhat placid, it serves as an adequate frame-work to present the well-established characters in another adventure. Young plays the part of Mary Lamont's brother whom Dr. Kildare suspects of having epilepsy. Experiments prove he is right and his romance with the nurse is endangered due to the hereditary tendencies of the disease. The girl and her brother plan to run away but the experienced Dr. Gillespie's shrewd questioning brings out the fact that the brother suffered a recent head injury and examinations show that his condition is not hereditary but can be cured through an operation.

Ayres, Barrymore and Miss Day do their usual good playing jobs and Robert Young adds strength to the marquee possibilities.

CAST: Lew Ayres, Lionel Barrymore, Laraine Day, Robert Young, Nat Pendleton, Walter Kingsford, Alma Kruger, Bobs Watson, Nell Craig, George Reed, Frank Orth, Marie Blake, Horace MacMahon.

CREDITS: Director, Harold S. Bucquet; Original Story, Max Brand, Willis Goldbeck; Screenplay, Harry Ruskin, Willis Goldbeck; Cameraman, John Seitz; Musical Score, David Snell; Art Director, Cedric Gibbons; Associate, Daniel B. Cathcart; Film Editor, Gene Ruggiero.

DIRECTION, First-Rate. PHOTOGRAPHY, Good.

★ SHORTS ★

"Johnny Messner and His Orchestra"

Paramount Below Par 11 mins.

Johnny Messner and his orchestra play several numbers in this short that may interest swing fans to some extent, but the short as a whole is below par as a musical number. An informal chat between an announcer, Messner, Jeanne D'Arcy, vocalist with the band, and pianist Koleslaw, falls flat.

Maureen O'Sullivan Out of Cast

West Coast Bureau of THE FILM DAILY
Hollywood—Maureen O'Sullivan has withdrawn from the cast of Metro's "Billy the Kid," opposite Robert Taylor, to remain in Canada with her husband, John Farrow who is serving in the British Navy. Mary Howard replaces her in the feminine lead.

"Over The Moon"

with Merle Oberon, Rex Harrison, Ursula Jeans

United Artists 78 Mins.
BRITISH-MADE COMEDY HAS ABLE CAST AND SOME AMUSING NONSENSE, BUT STORY IS WEAK.

Some amusing nonsense and a few good laughs keep this picture on its feet, but the story as a whole is on the weak side, with nothing novel or new about it. Technicolor enhances the picture, particularly some very fine shots of well-remembered European playgrounds. The cast is adequate, the production value is lavish, and although the film is essentially a conversation piece, at least there is a change of scenery often enough to keep it interesting to a degree for the average audience.

Miss Oberon looks very lovely, Technicolor serving to accentuate her beauty, and she performs capably. Rex Harrison, an agreeable and able British player, is an asset to the picture although it is unfortunate that he does not have more to do. Ursula Jeans, Robert Douglas, Louis Borel and Mackenzie Ward are prominent in the cast. Original story was contrived by Robert Sherwood and Lajos Biro, with the screenplay written by Anthony Pelissier and Alec Coppel. Thornton Freeland directed this Alexander Korda production.

Miss Oberon suddenly becomes an heiress to the tune of \$90,000,000. Her fiancé, Harrison, breaks off the engagement after they row about the way she is living. From there on Miss Oberon falls to one gay resort after another with a retinue of fortune hunters following her until she and Harrison patch up their differences and go to Italy for a honeymoon.

CAST: Merle Oberon, Rex Harrison, Ursula Jeans, Robert Douglas, Louis Borel, David Tree, Mackenzie Ward, Zena Dare, Peter Haddon, Elizabeth Welch, Carl Jaffe, Herbert Lomas, Wilfred Shine, Bruce Winston, Gerald Nodin.

CREDITS: Producer, Alexander Korda; Director, Thornton Freeland; Original Story, Robert Sherwood and Lajos Biro; Screenplay, Anthony Pelissier and Alec Coppel; Dialogue, Arthur Wimperis; Cameraman, H. Stradling; Editor, Pat Woolley.

DIRECTION, Adequate. PHOTOGRAPHY, Good.

Coast Changes Titles

West Coast Bureau of THE FILM DAILY
Hollywood—Title changes: Warners' "Four Families" becomes "Four Fathers." Same studio's "Jinx Woman" becomes "Singapore." Twentieth Century-Fox's "School for Soldiers" has become "Ten Gentlemen from West Point."

Jack Oakie With Sonja Henie

West Coast Bureau of THE FILM DAILY
Hollywood—Twentieth Century-Fox has signed Jack Oakie and Glenn Miller and his band to appear with Sonja Henie in "Sun Valley."

"U" Pacts Franchot Tone

West Coast Bureau of THE FILM DAILY
Hollywood—Universal has signed Franchot Tone to a five-year contract which calls for two pictures a year.

"Michael Shayne, Private Detective"

with Lloyd Nolan, Marjorie Weaver, Walter Abel

20th-Fox 77 Mins.
SUSPENSEFUL MURDER MYSTERY HAS PUNCH, IS WELL-ACTED AND FULL OF SURPRISES.

Here is an offering that is thoroughly entertaining screenfare for any type of audience. The picture is suspenseful, well-acted by a competent cast, ably directed and well-paced. It is a strong supporting attraction for some big picture on a double bill, and it is well able to stand on its own feet as a single offering or the main attraction in single houses.

The story is well-conceived and smartly executed, working in a considerable amount of smart stuff that is amusing, but at the same time keeping the element of danger and suspense serious business. Lloyd Nolan ably fills the bill as the fast-thinking and wise-cracking private detective. Marjorie Weaver attractively fills a supporting role. Joan Valerie is helpful, and strong support is given by such finished performers as Walter Abel, Elizabeth Patterson, Clarence Kolb, Douglas Dumbrille, Donald McBride, George Meeker and Robert Emmett Keane.

Eugene Forde handled the direction with a sure touch, keeping the action moving and maintaining the suspense. Smoothly contrived screenplay was whipped up by Stanley Rauh and Manning O'Connor from a novel by Brett Halliday.

Nolan gets in the good graces of Kolb when he stops his daughter, Miss Weaver, from making a bet at a race track. Kolb hires him to take care of her while he is away and a murder framed by Nolan to scare her so that she will stay out of a gambling house backfires and Meeker, the victim, is found to be really murdered. Action is fast and furious from there on until Nolan traps the real murderer after he gets himself nominated as the principal suspect through a chain of unusual circumstances.

CAST: Lloyd Nolan, Marjorie Weaver, Joan Valerie, Walter Abel, Elizabeth Patterson, Donald McBride, Douglas Dumbrille, Clarence Kolb, George Meeker, Charles Coleman, Michael Morris, Robert Emmett Keane, Frank Orth, Irving Bacon.

CREDITS: Executive Producer, Sol M. Wurtzel; Director, Eugene Forde; Screenplay, Stanley Rauh and Manning O'Connor; Based on a novel by Brett Halliday; Cameraman, George Schneiderman; Editor, Al De Gaetano.

DIRECTION, Good. PHOTOGRAPHY, Good.

Geraldine Replaces Priscilla

West Coast Bureau of THE FILM DAILY
Hollywood—Geraldine Fitzgerald will replace Priscilla Lane in Warners' "One Hour of Glory," with Thomas Mitchell. Vincent Sherman will direct.

Propaganda Pix for S. A.

Cleveland—H. M. Maley has taken over the distribution of two propaganda pictures, "Menace" and "Alone" for Brazil, Chile, Peru, Guatemala, Venezuela, Argentine and Panama. Fred Zeller, his rep. leaves this week to arrange bookings.

"South of Suez"

with George Brent, Brenda Marshall, George Tobias

Warners 86 Mins.
PLENTY OF ACTION, AN ABLE CAST AND MOVING STORY PUT THIS ADVENTURE YARN OVER.

General audiences should give this offering a good reception. The story is adventurous, it is laid against an African and London background, the cast is able, the direction good and it moves along with a lively pace.

Brent gives a good performance in the lead role. Tobias is excellent in his characterization of the ruthless diamond miner. Miss Marshall is attractive and capable as the romantic vis-a-vis for Brent, and Lee Patrick, Eric Blore, James Stephenson, Miles Mander and Cecil Kellaway are helpful in supporting roles. Direction of Lewis Seiler is forceful and smooth, and Barry Trivers' screenplay is well-worked out.

Brent, working for Tobias, is fired when Lee Patrick, Tobias' wife accuses Brent of making passes at her when he won't pay any attention to her. Brent prevents Tobias from taking over a valuable claim owned by Miles Mander and in partnership with him makes the claim pay big dividends. Tobias learns of a huge diamond they have found, and while Brent is out at night murders Mander and places the blame on Brent.

Brent flees the country and five years later, using an assumed name and having been lucky in a number of investments, returns to England to find Miss Marshall, Mander's daughter. He intends to tell her the whole story, but falls for her and because of her attitude toward the murderer plants his real identification papers on a murdered man. However, the big diamond is recognized by Tobias, also in London, when Brent sends it to a jeweler's to be cut and everything explodes in his face. A dramatic climax straightens everything out and puts Tobias where he belongs.

CAST: George Brent, Brenda Marshall, George Tobias, James Stephenson, Lee Patrick, Eric Blore, Miles Mander, Cecil Kellaway, Mary Forbes, Gilbert Emery, Stanley Logan, Frederick Worlock, Edward Fielding, Leonard Mudie, Crauford Kent, Holmes Herbert, Prince Modupe.

CREDITS: Produced by Warners; Director, Lewis Seiler; Screenplay, Barry Trivers; Story, Sheridan Gibney; Cameraman, Arthur Todd; Editor, Clarence Kolster.

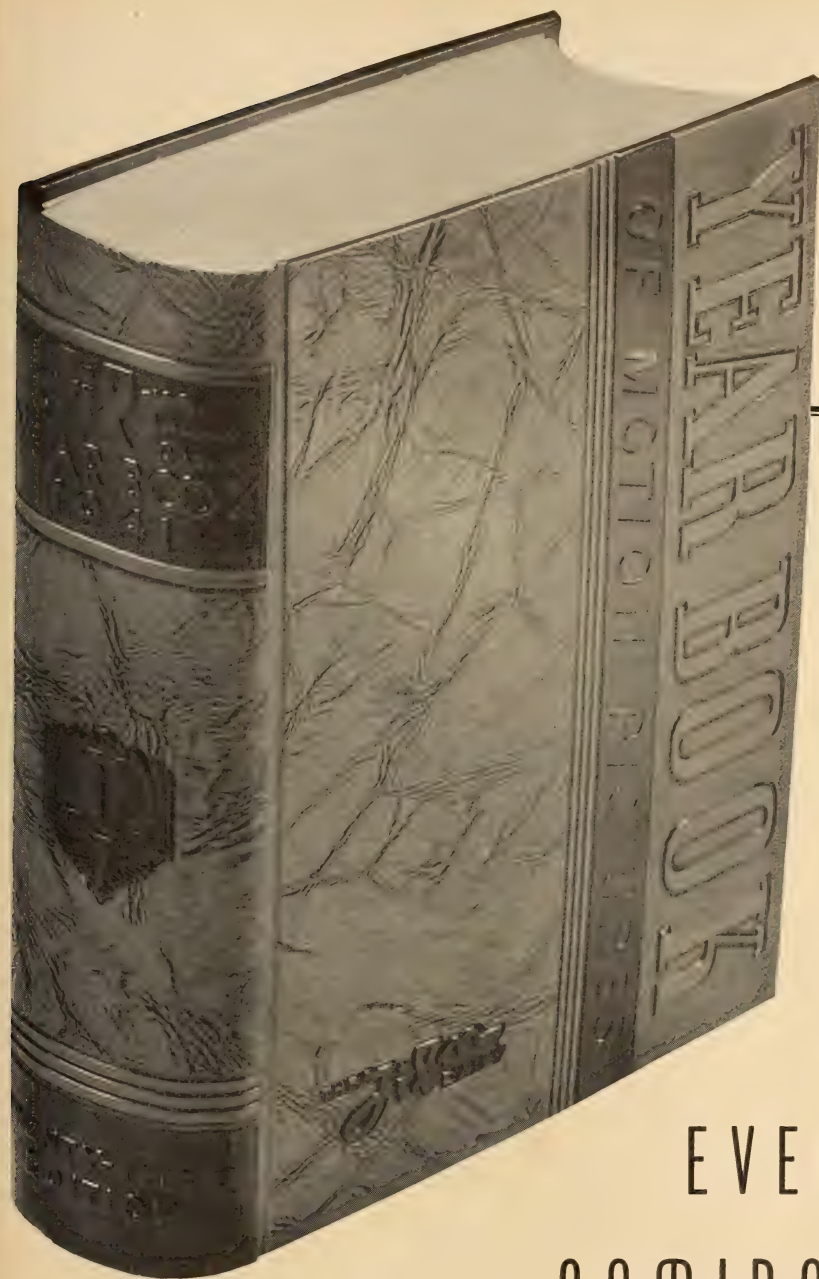
DIRECTION, Good. PHOTOGRAPHY, Good.

★ SHORTS ★

"Feminine Fitness"

Paramount Fair Sport Reel 10 mins.

Women athletes in various fields of competition provide subject matter for this reel that is fairly interesting, but the sight of two female wrestlers mauling each other is not exactly edifying. Softball, golf, football, track, water sports, skating, fishing and several other sports are demonstrated by the girls. Ted Husing provides the narration.



COVERS
EVERYTHING
GOES
EVERYWHERE
READ BY
EVERYBODY
COMING SOON

Decree May Mean More Financing—Schaefer

No Substitutions in Five-Blocks After Designation, Declares RKO Radio Prexy

(Continued from Page 1)

merits, the rental prices will have to be set accordingly.

Schaefer, who returned this week from Coast conferences, said he expected RKO's 1941-42 program would include 40 pictures, a smaller number than was announced for the current season. He said the less important pictures would be eliminated and that there would be more concentration on bigger pictures. Five or six of the 40 will be made by outside producers, several to be added to the roster. So far only Herbert Wilcox is on the independent list but negotiations with others, not disclosed, are in work, Schaefer said.

First Block in July

RKO expects to have between five and eight pictures ready for trade showing some time in July, Schaefer said, adding that the second block of five would be ready by Sept. 1 when the decree becomes effective.

Extent of increased distribution costs under the decree rulings has not been determined but Schaefer said expenses would be higher as more salesmen probably would be added and that the territories would have to be covered at more frequent intervals.

Some confusion is anticipated in the selling of the first two blocks of five, Schaefer indicated, but he believed that by the time the third blocks are offered, the situation would adjust itself.

Additional Financing

Additional financing probably will be necessary by RKO and other companies as a great deal of money will be tied up in completed and unplayed product until it is trade shown and moved. Actual placing of pictures into particular blocks can not be effected until the pictures are completed, according to Schaefer, who further confirmed that there will be no substitutions of pictures within the blocks after they have been designated.

Schaefer said that Max Gordon and Harry Goetz would not produce any pictures for RKO unless they decide to make "The American Way."

"Mannerheim Line" Opens Big

Artino's Soviet pix, "Mannerheim Line," Finnish war documentary, opened at the Miami Playhouse yesterday, with attendance of 4,000 claimed for the day. House seats 500. Film also started in Chicago yesterday. In New York, police were summoned to handle the crowd.

Hawk Acquires the Draper

Draper, Utah—Claud Hawk has acquired the Draper here from J. A. Howell.

Radio to Appoint Committee to Act

With Industry's Charities Committee

West Coast Bureau of THE FILM DAILY

Hollywood—At a luncheon attended by members of the motion picture industry's permanent charities committee, President Harry M. Witt of Southern California Broadcasting Ass'n assured Chairman Samuel Goldwyn that radio would see to the immediate appointment of its own committee to join the general committee.

Goldwyn, Harry M. Warner, Walter Wanger, Y. Frank Freeman, Edward Arnold, Kenneth Thomson, Sidney Buchman, Attorney Kornblum, Don Gilman, Donald W. Thornburg and Harrison Holliday were among the speakers.

MLT Will Continue Payments on Arrears

Toronto—Business conditions to date are approximately as good as last year, Leopold Friedman, a director, told shareholders of Marcus Loew's Theaters, Ltd., at the annual meeting.

If earnings do not drop, the company will continue to pay with each regular preferred dividend something on arrears. The company is in arrears \$7 as of Dec. 31, 1940. This assurance was made, subject to continued approval of the Federal Exchange Control Board. About 18 per cent of the preferred stock is held outside of Canada.

The Uptown Theater lease does not expire until August, 1941, and while officials have not yet negotiated for a renewal they do not anticipate any difficulty, it was stated.

Katzman Heads Local 488 For 12th Consecutive Year

Harrisburg, Pa.—Lawrence J. Katzman was elected president of Local 488, IATSE, for his twelfth consecutive term. Other officers elected include: Horace A. Gladfelter, vice-president; M. C. Miller, secretary; P. F. Patterson, treasurer; Lester Firing, sergeant-at-arms; and Samuel Rubin, business agent.

Charles Reed and Clarence Rudy were elected to the executive board, and Harry Michaels, A. V. Morgan and James Leone were elected trustees.

Officers for 1941 will be installed on Jan. 19.

"Foyle" Serial in 200 Papers

Publication rights for the newspaper serialization of "Kitty Foyle" have been requested by more than 200 daily newspapers, according to Barret McCormick, director of advertising and publicity for RKO which will release the screen version on Dec. 27.

Markey's First for Col.

West Coast Bureau of THE FILM DAILY

Hollywood—Gene Markey's first of three pictures for Columbia will be "The Great Lady," co-starring Jean Arthur and Melvyn Douglas. Film will be adapted from one of Markey's own stories.

Charitable Productions To Film "Raffers Ring"

West Coast Bureau of THE FILM DAILY

Hollywood—Norman Corwin is acting as co-ordinating writer on "Let the Raffers Ring" which will be made by Charitable Productions, Inc. The board of directors is headed by Sir Cedric Hardwicke, with Alfred Hitchcock, Frank Lloyd, Victor Saville and Herbert Wilcox among the members of the board.

Production will be handled by Hardwicke as producer and an advisory committee including Edmund Goulding, Hitchcock, Lloyd, Saville and Robert Stevenson who will also share in the direction. RKO has advanced the costs of the production and will distribute the film at cost. All profits will go to American and British charities.

Noel Coward has contributed a special composition "The Changing World," which is to form a theme tune in a musical score written by Anthony Collins.

Capitol to Edit 5 Reels Into 30 Minutes of News

New newsreel policy will be inaugurated shortly by the Capitol theater with house using all five reels in an edited program that will run around 30 minutes. Capitol formerly used News Of The Day, Movietone and Paramount, and is adding Pathe and Universal. House is said to be the only first-run theater to use such an extensive coverage.

May Film "Cabin in the Sky"

Reports were current yesterday that "Cabin In The Sky" current Broadway musical with an all-colored cast, would be filmed here by an indie company. It was said that Ethel Waters would do her original role in the film version and that Eddie "Rochester" Anderson was being sought for a role.

Howard Planning U. S. Trip

London (By Air Mail)—Leslie Howard is planning a trip to the U. S. on the completion of his new feature, "Prof. Pimpernel Smith," being produced by his own unit. Trip would have the dual purpose of taking over the film and to make a brief lecture tour.

Ascap Consent Decree Not Related to Radio

(Continued from Page 1)

Ascap counsel and the Government have taken place, and are still continuing, the statement adds, as an outgrowth of the suit brought in 1934 by the D of J against Ascap. That suit went to trial in June 1935 but after nine days was adjourned on motion of the Government "to permit the parties to confer with a view to stipulating certain facts and thus save the time of the court."

If a consent decree should be agreed upon, the terms would be presented to the Ascap board, Buck states. Then, after approval by the court, would be signed by Ascap and the Government and Ascap would "meticulously and honorably observe the terms thereof regardless of organizational problems."

Contempt Citation Growing Out of Pix Seizure Stands

Montgomery, Ala.—The State Supreme Court has declined to dismiss the contempt-of-court citation against Birmingham officials who confiscated the film, "French Girls' Club," in defiance of a Circuit Court action.

The film was being shown at the Galax Theater in Birmingham when confiscated by the city officials. It was purported to reveal "the secrets of 200 love-starved girls."

"Backward, Oh, Backward—"

West Coast Bureau of THE FILM DAILY

Hollywood—Republic plans a new version of "Ten Nights in a Barroom" and of "Black Beauty." It also will make "The Great Train Robbery," but latter will have in common with the 1903 "epic" of that title.

First Madcap Models Short

First of the Madcap Models short subjects will be released by Paramount in mid-January. Titled "Western Daze," the characters are performed by dolls. Paramount will release six in the series.

Metro Borrows George Sanders

West Coast Bureau of THE FILM DAILY

Hollywood—George Sanders has been borrowed from 20th-Fox by Metro for the second male lead in "Rage in Heaven," with Ingrid Bergman and Robert Montgomery. Production starts tomorrow.

Kuhn Succeeds Katz

Pittsburgh—Alfred Kuhn, shipper for the local Vitaphone exchange, was elected business agent for the Film Exchange Employees Union here, succeeding Lawrence J. Katz, international rep. of the IATSE.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 121—In Two Sections. Section I

NEW YORK, FRIDAY, DECEMBER 20, 1940

TEN CENTS

FEWER FILMS AVAILABLE IN U.S. IN 1940

Kelly Realigns United Artists Sales Organization

Masters Made Western Div. Manager; Schlaifer To Have Special Post

A realignment of United Artists' sales organization was announced yesterday by Arthur W. Kelly, vice-president in charge of domestic distribution. Among the changes is the shifting of Haskell Masters from Canadian division head to the post of Western division manager and the creation of one more district within the Eastern division. Jack Schlaifer, former Western division

(Continued on Page 4)

Army Theaters Will Observe Clearance

Washington Bureau of THE FILM DAILY
Washington—Confirming the story published in THE FILM DAILY on Dec. 2, the War Department yesterday officially declared "new men entering the Army quite likely will find that the shows being exhibited by the Camp theater are those they already have seen but this will prove only a temporary inconvenience."

The statement was issued in connection with the clearance of new

(Continued on Page 6)

SAG Asks Pay Increase For Players of Bit Parts

West Coast Bureau of THE FILM DAILY
Hollywood—Screen Actors Guild will ask that bit players' minimum pay be increased from \$25 to \$40 or \$50 a day. Guild officials believe producers will recognize the advantage of the increase.

(Continued on Page 4)

Chi. Circuits, Indies Give \$50,000 Bonuses

Chicago—It is estimated that Chicago circuits and indie exhibitors will distribute a total of \$50,000 in holiday bonuses to their employees. The Indiana-Illinois circuit is giving its employees \$3,000. B & K, Great States and H. & E. Balaban circuits are taking out group insurance policies as holiday gifts for their employees.

ADMISH TAXES SOAR 5 MILLIONS

November Collections at \$7,124,225 as Compared With
\$2,117,644.42 Receipts a Year Ago

Washington Bureau of THE FILM DAILY

Washington—Admission tax collections for November responding both to better biz and the wider defense levies continued to show gains in all comparisons, the Internal Revenue Bureau reported yesterday. The November collection was \$7,124,225.19 which was \$5,006,580.72 more than the \$2,117,644.42 collection for

November, 1939, and \$495,795.29 more than the \$6,628,429.90 collection for October last.

Broadway collections show comparable increases. The Broadway area November collection reported at \$1,497,707.08, compares to \$689,425.82 for the same month of last year, an increase of \$808,281.26. It is also \$394,473.56 more than the \$1,103,233.52 collection for October last.

Wis. Theaters Face Tax on Game Prizes

Madison, Wis.—Theaters of Wisconsin may have to pay income taxes to the State on the money they gave away to patrons in Bank Night prizes before this practice was declared to be illegal by the State Supreme Court. The Court outlawed Bank Night in June 1939.

Elmer Barlow, state tax commissioner, said yesterday he had of-

(Continued on Page 5)

Shuttee Leaving Cooper Post in Oklahoma City

Oklahoma City—Walter B. Shuttee, for the past 20 months general manager of Standard Theaters Corp. which controls the first-run situation here, said yesterday he had of-

(Continued on Page 8)

New England Theater Chains Give Bonuses

Boston—Christmas bonuses are the rule throughout the film district of Greater Boston. New Year bonuses in instances where Yuletide ones are not given are to be paid by many of the firms.

M & P Theaters as usual will give each of its employees two weeks' pay, in some instances where services

(Continued on Page 6)

Warn Service Men's Subs. Jobs Are Temporary

Columbus—Members of the ITO of Ohio have been advised via service bulletin that new employees, hired to replace men called for military service, should be informed

(Continued on Page 8)

N. Y. Dissolves 125 Companies

Failure to Pay Taxes Forms Basis of Action

Phonovision Plans Mass Production in January

Following the demonstration of Phonovision at the coin machine operators convention in Chicago Jan. 13-16, the company plans to go into mass production. Already, it was learned yesterday, orders are far in

(Continued on Page 8)

Albany—Listed among the 13,000 stock companies dissolved by proclamation of the Secretary of State on Dec. 15 for failure to file reports and pay corporation taxes for three consecutive years are 125 companies allied with the film, theatrical and amusement industries.

Merely the names of the corporations so dissolved are listed in al-

(Continued on Page 5)

PCA in First 11 Months of Year Clears 484 Features, Drop of 49 from '39 Total

For a fourth successive year, fewer features have been available in 1940 for American screens, on the basis of figures compiled by the Production Code Administration of the MPPDA.

For the first 11 months, the PCA offices on both West and East Coasts cleared 484 features, a drop of 49 from 1939. Decline last year from 1938 was only 10.

Available shorts also slumped again, dropping to 651 as against 669 in 1939. Drop of 18, however,

(Continued on Page 4)

\$32,544,000 Sales By Exchanges in '39

Washington Bureau of THE FILM DAILY
Washington—Sales of motion picture film exchanges in 1939 amounted to \$32,544,000, the Bureau of Census, Department of Commerce, reported today in a preliminary summary of wholesale trade. The report compared this figure with that of 1935 when exchange sales were reported at \$27,001,000. The 1939 figures compared with those of 1935

(Continued on Page 8)

Pratchett, Del Villar Will Visit Para. Home Office

Arthur Pratchett, Paramount's general manager for Central America, arrives here Jan. 3 and will leave about Jan. 6 with John W.

(Continued on Page 6)

Warners to Co-star Cagney, Bette Davis

West Coast Bur., THE FILM DAILY
Hollywood—Warners will co-star James Cagney and Bette Davis in "The Bride Came C.O.D.," described as a fast-moving comedy, it was announced yesterday by Jack L. Warner. William Keighley will direct from a script by Philip and Julius Epstein. Production will start Jan. 2.

THE **Film** DAILY

Vol. 78, No. 121

First Section

Fri., Dec. 20, 1940

10 Cents

JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSEAU : : : : General Manager
CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone GRanite 6007. LONDON—Ernest W. Friedman, The Film Rent, 127-133 Wardour St., W. 1. PARIS—P. A. Harle, Le Film, 29 Rue Marsoulan (12). MEXICO CITY—Miguel Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Thursday, Dec. 19)

NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Seals.	8 1/4	8 1/4	8 1/4	— 1/4
Col. Pict. vtc. (2 1/2 %)	5 1/2	5 1/2	5 1/2	— 1/4
Columbia Pict. pfd.	9 3/4	9 3/4	9 3/4	— 1/4
Con. Fm. Ind.	7 1/2	7 1/2	7 1/2	— 1/4
Con. Fm. Ind. pfd.	7 1/2	7 1/2	7 1/2	— 1/4
East. Kodak	133 1/2	130	130	— 3
do pfd.				
Gen. Th. Eq.	11 3/4	11 3/4	11 3/4	— 1/2
Loew's, Inc.	31 3/4	30 1/2	31 1/2	— 1/2
do pfd.				
Paramount	10 3/4	10 3/4	10 1/2	— 1/2
Para. 1st pfd.	97	97	97	+ 1/2
Para. 2nd pfd.	107 1/2	107 1/2	103 1/2	— 1/2
RKO Film	9 3/4	9 3/4	9 3/4	— 1/4
RKO 56 pfd.	42 1/2	42	42	— 1/4
20th Century-Fox	6 1/4	6	6	— 1/4
20th Century-Fox pfd.	17 1/2	17 1/2	17 1/2	— 1/4
Univ. Pict. pfd.	115	110	110	— 6
do pfd.	54	54	54	+ 1/2

NEW YORK BOND MARKET

Keith B. F. ref. 6446	102 1/2	102 1/2	102 1/2	
Loew's deb. 3 1/2 %	52	51 1/4	51 1/4	— 1/8
Para. B'way 3 5/8 %	94 1/4	94 1/4	94 1/4	— 1/8
Para. Pict. vtc. 3 1/4 %	94 1/4	94 1/4	94 1/4	— 1/8
Warner Bros.' deb. 6 1/2 %	96	96	96	— 1/8

NEW YORK CURB MARKET

Monogram Pict.	3 1/4	3 1/4	3 1/4	+ 1/8
Sonotone Corp.	13 1/4	13 1/4	13 1/4	— 1/8
Technicolor	8 1/2	8 1/2	8 1/2	— 1/8

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Any showing of this film without our authorization will be considered a copyright violation.

For bookings apply to Samuel Cummins, Eureka Productions, Inc., 230 East 41st Street, New York City.

Sparks, Chapin Building New Theaters in Florida

Ocala, Fla.—Plans have been approved for a 1,000-seat theater for Ocala, according to an announcement by C. T. Chapin, manager of the Ritz and Dixie houses. This will be known as the Marion, and Roy A. Benjamin, Jacksonville architect, is already at work on the plans. Theater will be another unit in the Sparks chain.

Ft. Meyers, Fla.—A \$75,000 theater will be built at once by the Sparks chain, and will be ready by Feb. 1, according to present plans. This is to be an 800-seat house, and will be named the Edison. Roy A. Benjamin, Jacksonville, is the architect. The Sparks interests already operate two houses in Fort Meyers, the Ritz and the Arcade.

Will Protect His Rights, William Goldman Warns

Philadelphia — William Goldman, new lessee of the Erlanger theater here, is reported to have informed local exchange managers and S-W that he intends to protect his rights in the event that S-W asks clearance for the Center, downtown subsequent, over the Erlanger.

Goldman's notice is reported to have been via a letter by his counsel, C. Brewster Rhodes. With Goldman out of town, no confirmation was obtainable yesterday.

Observers believe that Goldman intends to press for first-runs when the consent decree becomes operative.

Fannie Brice Awarded \$30,000 in "Rose" Suit

Chicago — Twentieth-Fox's "Rose of Washington Square" damaged Fannie Brice to the extent of \$30,000, according to Judge Donald McKinlay who in Superior Court here yesterday entered an order awarding the actress balm to that amount. Suit, brought in 1939, asked \$750,000 damages.

Attorney Eli Fink appeared for Miss Brice, Francis Matthews was counsel for the film company.

Chicago Trade Will Bid Gilliam Farewell Tonight

Chicago—Farewell dinner tonight for Tom Gilliam, Warner exchange manager who has been transferred to the Atlanta branch, will attract several hundred. Affair is to be held in the Congress Hotel's Gold Room.

Extend Exploitation Contest

Having set the national release date of "Little Men" back to Jan. 10, RKO has extended the closing date of the \$15,000 exploitation contest to April 15. Contest will be based on the best advertising, publicity and exploitation campaign among theater managers and press representatives.

Midwest Evidence Against Mich. Co-op. About All In

Detroit—James C. Ritter continued his testimony in Midwest Theaters suit against Mich. Co-op. yesterday and asked the right to clarify his earlier testimony.

Joseph Miskinis, owner of the Alden Theater, testified that he gave up membership in co-operative because he was unable to get the pictures that he wanted.

Frank Stuart, personnel manager and booker of Midwest Theaters, supported the earlier testimony of Raymond Schreiber, general manager, to the effect that plaintiff was unable to close deals with the majors until they had signed with Co-operative.

William Schulte, independent owner of Radio City Theater at Ferndale, Mich., followed on the stand. This practically completes the case for the plaintiff except for cross-examination of Stuart and presentation of statistical evidence.

Policy Poll Puts Duals In New Loew American

Bowing to public favor, Loew's will operate the new American Theater in the Parkchester development of the East Bronx on a double feature policy. Decision in favor of duals followed "a movie election" last Tuesday when thousands of Parkchester residents cast their ballots on the issue. The vote was overwhelmingly in favor of two features.

Single-feature advocates won a point, however. To the question, "What time would you prefer the main feature to go on at night?" the majority vote was for 9 o'clock which will be adhered to by the management. Those who want to see both pictures can remain after the 9 o'clock feature ends.

Chi. U's Round Table Will Analyze the Movies

Hollywood—When the University of Chicago's Round Table moves to NBC's Hollywood studios on Sunday, "The Movies" will be the subject for discussion.

Walter Wanger, producer, and Leo C. Rosten, author and newspaperman who is the present director of the Motion Picture Research Project, will participate in the program which goes over the air at 2:30 p.m., EST, over the NBC-Red Network.

20th-Fox Pact for Clements

Hollywood—Stanley Clements, 12-year-old singer, brought here by 20th Century-Fox for a role in "Tall, Dark and Handsome," has been signed to a long-term contract by that studio. He was discovered when he made an appearance on the Major Bowes program.

Sidney Spiegel's Father Dies

Chicago—Sidney Spiegel, father of Sidney Spiegel, Jr., Essaness circuit prexy, is dead. Funeral will be held from Rosehill Chapel today.

COMING and GOING

NAT SANDERS, distributor of "The Baker's Wife," left yesterday for a two-week vacation in Miami.

WALTER PIDGEON arrived in New York last night from Washington.

Director TAY GARNETT arrives in New York tomorrow.

ARTHUR PRATCHETT, Paramount Center American manager, is due here Jan. 3.

SAM A. GALANTY, mid-East division manager for Columbia, is in Cincinnati.

SAM ENGEL has returned to the Coast.

AL SHEAN is due from the Coast next week.

NAT LIEBESKIND, former RKO district manager in South America, has arrived in Hollywood.

Liberalized Censorship Demanded by Chi's BFC

Chicago—Liberalization of film censorship in this city is demanded by the Better Films Council through a resolution adopted by its board. Council wants recognition of changing conditions in the film industry.

Resolution opposes a politically appointed censorship board.

Aldermanic committee will hold a hearing on the censorship issue on Jan. 13. Trade representations will be received.

Industry Execs., Exhibs. At Jacob Lourie Rites

Boston—Funeral services yesterday for Jacob Lourie, official of M & P Theaters and Netoco Pictures, was attended by a huge crowd of film executives and exhibitors. Lourie established and operated first theater entirely for sound in the U. S., the old Beacon here.

Three Get 20th-Fox Contracts

West Coast Bureau of THE FILM DAILY
Hollywood—Sheldon Leonard, New York stage actor, Stanley Clements and Milton Berle have been signed to long-term contracts by 20th Century-Fox.

Let "ABBYE" Do It

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- ★ Calendars
- ★ Diaries
- ★ Catalogs
- ★ Magazines

★ and other Sales Promotion material delivered direct to your Prospects and Customers in a personalized, distinctive manner at a surprisingly small cost.

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PHONE _



Postal Telegraph

"First When Seconds Count!"

Fewer Pix Available In U. S. in 1940

(Continued from Page 1)

was much smaller than last year's decline of 92.

PCA statistics for the 11 months of 1940 follow:

Total number of pictures approved up to and including Nov. 30.....	1135
Total number of features approved.....	484
West Coast—446	
East Coast—38	
Total number of shorts approved.....	651
East Coast—223	
West Coast—428	
Total number of pictures approved on East Coast.....	261
Features—38	
Shorts—223	
Total number of pictures approved on West Coast.....	874
Features—446	
Shorts—428	

SAG Asks Pay Increase For Players of Bit Parts

(Continued from Page 1)

ages of having a day player do the bits. The organization will also propose that extras may not be called, as extras, to do definite bits or parts, other than bona fide ad lib work.

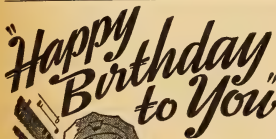
353 "Neighbor" Dates Will Use All Available Prints

All available prints of "Love Thy Neighbor" will be in use for the 353 day-and-date Christmas bookings on the Jack Benny-Fred Allen Paramount picture. Despite the pre-Christmas slump, the Broadway Paramount opening on Tuesday came within a few dollars of the five-year record opening of "Northwest Mounted Police" which played at advanced prices.

Frank Condon Dies on Coast

West Coast Bureau of THE FILM DAILY

Hollywood—Frank Condon, author of many screen plays, died here yesterday. For several years he had been under contract to Collier's, writing articles and fiction. Among his best known pictures was "The Miracle Man," a silent feature which starred Lon Chaney.



From
THE FILM
DAILY to
DECEMBER 20
Irene Dunne
William C. Hyer
M. L. Isaacs

DECEMBER 21
Pat Hartigan
William J. Cowen
Blanche Schneider

DECEMBER 22
L. J. Bamberg
Eleanor Apel

Earl W. Wingart
Alfred T. Mannon



● ● ● POPULARITY of duals was never more roundly manifested than yester noontide.....when E. K. (Ted) O'Shea and Jack Bowen were the twin features on display in the Hotel Astor's Belvedere Room.....where they were tendered a rousing testimonial luncheon.....The occasion of the celebration was Ted's boost to Metro's Central division managership.....and Jack becoming his successor as Metro's district manager.....Harry Brandt presided at the festivities as chairman of the luncheon committee.....which included Arthur Ropi as treasurer, Joe Lee as Ticket Committee big-wig, and Morris Sanders in charge of seating arrangements.....The latter's task was especially heavy.....as about 800 O'Shea-Bowen rooters packed the precincts.....

● ● ● UP on the dais were parked:.....Jay Emanuel, Ed Saunders, Sam Rinzler, C. C. Moskowitz, Harry Echant, Walter Vincent, James J. Walker, Jack Alicante, Louis Nizer.....William F. Rodgers, Martin Quigley, Fred Schwartz, Howard Dietz, Max Cohen, Tom Connors, J. J. O'Connor, Leo Brecher.....and, of course, Chairman Harry Brandt flanked by the feted duo.....Jimmy Walker gave a scintillating spiel.....asserting that he noted how quickly the industry was fitting itself into the consent decree by tendering luncheons in blocs of two.....He paid tribute to Ted and Jack as boys who have established themselves by honesty and fair play.....and memorialized the gathering that "we Irish are neutral, but are just finding out on which side we're neutral".....He had to leave early to go down to Seventh Ave....."now that I'm a buttonhole umpire".....

● ● ● SAM Rinzler said it's a cinch to make speeches now that Louis Nizer has written his book ("Thinking On Your Feet").....To prove just how it is, Sam had a dozen large sheets of copy paper laden with notes which Louis Frisch had written for him.....Martin Quigley said that opportunity in America is exemplified by the film industry and neatly tied Ted and Jack into the thesis.....William F. Rodgers (introduced by Brandt as the man responsible for the O'Shea-Bowen advancements) frankly asserted that the spirit of doing such things is derived from Nicholas M. Schenck.....and remarked that the luncheon emphasizes the friendly relations 'twixt all branches of our industry.....

● ● ● HOWARD DIETZ rose to remark how the current trend is toward junket premieres.....and in order to keep step with the times.....he had tried to sell the Loew's-Metro General Staff.....on having a world premiere out in Palm Springs.....but somehow the idea was vetoed.....He confided that he had put his shoulder to the wheel to compose a national anthem for the testimonial luncheon guests of honor.....but couldn't get beyond "O'Shea can you see . . . ?".....

● ● ● LOUIS Nizer opined that Ted and Jack have added to their natural Irish affability.....Jewish acumen.....and a little Greek (through contact with the Skouras boys).....He declared the O'Shea-Bowen combo exemplified the American spirit of fair play and that they exuded this to their film customers.....and never let loyalty to their company transgress exhibitors' good-will.....Leo Brecher made the presentation of plaques to Ted and Jack.....and the latter thanked the assemblage for the honors bestowed upon them.....

● ● ● BATCHES of congratulatory telegrams were received.....and those dispatched by Postmaster General Frank C. Walker, Herman Robbins, Nate Blumberg, and Bill Scully were cited from the dais.....

Kelly Realigns UA Sales Organization

(Continued from Page 1)

manager, becomes a special representative. Several salesmen will be promoted to managerial positions. S. Glazer replaces Masters in Canada.

Split Div. into 4 Districts

The present division of territory will be maintained. Harry Gold, vice-president and Eastern sales manager, will split his division into four districts instead of three, with four district sales managers as follows:

District No. 1: Charles Stearn, supervising New York, New Haven and Boston; District No. 2: Arthur Silverstone, Philadelphia and Washington; District No. 3: Bert Stearn, Pittsburgh, Cleveland, Cincinnati, Indianapolis and Buffalo; District No. 4: Hugh Owen, Charlotte, Atlanta, New Orleans and Dallas.

Masters will have four districts under his control as follows:

District No. 1: Irving Schlank, Chicago, Milwaukee and Minneapolis; District No. 2: J. S. Abrose, Omaha, Kansas City and St. Louis; District No. 3: Ben Fish, Denver, Salt Lake City, Los Angeles, San Francisco and Seattle; District No. 4: S. Glazer, Canada.

Goldhar Special Field Rep.

Masters has appointed Jack Goldhar, formerly district manager for Chicago, Detroit and St. Louis, as his special field representative. Kelly also announced that United Artists will augment its playdate department with additional personnel. It was further announced that appointments will be made in the field promoting salesmen to posts as branch managers. These appointments will be made by the respective divisional sales managers. No outside sales manpower is to come into the United Artists organization as it is Kelly's express opinion that UA has one of the finest and strongest selling forces in the field. The majority of its selling personnel has been with the corporation between 10 and 20 years and they are all trained to the particular type of policy applicable to its individual producer operation, Kelly said.

Kelly took the opportunity to express to the entire sales force his admiration for its efficiency and effectiveness.

Warners Shift Keegan

Milwaukee—Jack Keegan, for the past number of years district manager for Warner Bros. here, has been transferred to Racine as manager of the circuit's Venetian succeeding Marce Brazee, who becomes district manager here.

Marbe to New Parkchester

Gilbert Marbe has been named manager of Loew's Parkchester Theater which opens Christmas Day. Marbe now manages Loew's Ziegfeld.

Wis. Theaters Face Tax on Game Prizes

(Continued from Page 1)

sioner, who said he believes that tax deductions previously allowed to the theaters on Bank Night operation were illegal, conferred in Madison yesterday with theater men. The meeting was closed. Barlow said that he would announce his decision later.

If the tax commissioner decides to levy income taxes on Bank Night deductions made by theaters, the assessments will run back to cover 1935, 1936, 1938 and 1939, and theater men believe the amount involved will approximate \$200,000. Barlow said he believed that about 400 theaters would be affected by a ruling disallowing Bank Night deductions, but was unable to give any figure as to the probable amount of taxes involved.

In the event the State Tax Commission holds that these exemptions should be disallowed, Barlow anticipates that a test case will be instituted by the theater men to determine the legality of such an assessment.

The State's position, Barlow points out, is that because Bank Nights have been held to be illegal, theater men cannot be allowed to claim tax exemptions on cash sums paid to patrons.

WB "Flight from Destiny" May Go Into Music Hall

Next three pictures booked for Radio City Music Hall include "The Philadelphia Story," which opens Dec. 26, and will be followed by "Arizona" and "This Thing Called Love." Reports from the Coast that Warners' "Flight From Destiny" would play the Music Hall in January have not yet been confirmed, but "Mr. and Mrs. Smith" is tentatively scheduled to follow "This Thing Called Love."

Cal Shrum Starts P. A.'s

West Coast Bureau of THE FILM DAILY

Hollywood—Cal Shrum and his Rhythm Rangers appearing in support of Tex Ritter in the Edward Finney-Monogram production, "Rolling Home To Texas," will start a series of personal appearances with the picture. The initial engagement will be at Needles, today.

"U" Contracts In Chi. Reported 10% Ahead

Chicago—The Universal Chicago Exchange reports contracts for the new season films, as 10 per cent ahead of the same period last year.

The Exchange will hold its annual Xmas party at the Exchange building on Dec. 24 with Ted Myers in the Santa Claus role.

N. Y. Dissolves 125 Companies Failure to Pay Taxes Forms Basis of Action

(Continued from Page 1)

phabetical order not the addresses, but as nearly 90 per cent of all new corporations formed are domiciled in Greater New York, it is assumed the same ratio will hold true for dissolutions.

Any corporation listed as dissolved may proceed to annul its dissolution, at any time within three months from Dec. 15, through the payment of its back corporate taxes, penalties and interest charges, plus a fee of \$50 for the filing of a certificate of reinstatement. Any corporation listed as dissolved, if such listing is through error, can, on proper application, be reinstated without payment of any fee.

As corporate taxes due constitute a lien against any property owned by a corporation any going corporation with its name appearing on the list should take immediate steps to secure reinstatement, it is pointed out.

List of dissolved corporations follows:

—A—

Abie's Irish Rose of N. Y., Inc., Abbrons Amusement Corp., Anglo-New East Pictures, Inc., Armac Amusement Corporation, Associated Actors, Inc., Automation Pictures, Inc.

—B—

Beach Amusement, Inc., Bellburton Theater Corp., Ben-Jim Amusement Corp., Benav Amusement Co., Inc., Bert Amusement Corp., Bobby Amusement Corp., Boro Theaters Corp., Bronx Radio Theaters, Inc.

—C—

C. V. G. Theater Corp., Capitol Indoor & Outdoor Shows, Inc., Celebrated Pictures, Inc., The Casino Theater Co., Chrola Pictures Corp., Cinexport Distributing Corp., Cleo Theater Corp., Clinton-Apollo Theater Corp., Colpeck Theatrical Enterprises, Inc., Columbia Sound Co., Inc., Commercial Pictures Corp., Conford Amusement Co., Inc., Continental Sound Systems, Inc., Crelian Amusement Corp., The Crescent Park Amusement Co., Inc.

—D—

Daviron Productions, Inc., De Luxe Amusement Corp., Devos Theaters, Inc.

—E—

East Coast Theaters, Inc., Elarem Theater Co., Inc., Emesco Amusement Corporation, Enclyco-Cinema Limited, Erlanger Buffalo Theater Corp., Erlanger Theater Corp., Erlanger Theatrical Storehouse, Inc., Estill Amusement and Realty Corp., Exhibitors Service, Inc., Exhibitors Service Corp., Extension Theater Corp.

—F—

F. L. B. Amusement Corp., Fabro Amusements, Inc., Fagrose Amusement Corp., The Farash Theater Company, Inc., Fayette Pictures Corp., Federal Amusement Corp., Fortune Film Corp., Funland Amusement Corp.

—G—

Gallup Amusement Co., Inc., Garden City Amusement Corp., Garden Theater, Inc., Geth Amusement Corp., Glad Theater Corp., Golden Eagle Theater Corp., Gramatan Amusement

20th-Fox Buys Three Stories

West Coast Bureau of THE FILM DAILY

Hollywood—Twentieth Century-Fox has bought "Sioux City," novel by J. Hyatt Downing, a story of the conquest of the Middle West; "Flight Surgeon" by Cameron Rogers and H. E. Halland, and "The Dead Take No Bows" unpublished novel by Richard Burke. The latter will be used as a basis for a new Michael Shayne detective film.

Corp., Greater City Amusement Corp., The Group Theater, Inc.

—H—

N. Y. H. Productions Inc., Hatikvah Amusement Corporation, Titchman's, Artie, Theater Ticket Office, Inc., Hollywood Pictures Corporation, Hunnia Amusements, Inc., Huntington Amusement Palace, Inc., Hyde Park Amusement Long Island, Inc.

—I—

Integrity Film Corporation, International Playwrights Service, Inc.

—K—

Kenroe Theaters, Inc., Kingston Theater Corporation.

—L—

L. M. S. Theaters Inc., Lear Pictures, Inc., Liberty Amusement Corporation, Loyal Amusement Co., Inc.

—M—

The Mainstem Theater Corp., Marcy Pictures, Inc., Melbert Pictures, Inc., Mercantile Pictures Corp., Model Motion Pictures Productions, Inc., Motion Picture Bureau for New Talent, Inc., Motion Picture Underwriters, Inc.

—N—

N. & P. Amusement Co., Namreg Theatrical Corp., Navarre Amusement Corp., New Law Theater Corp., Niagara Amusement Corp., North Star Theater Holding Corp., Nu-Deal Amusement Corp.

—O—

Orpheus Opera Co. Inc.

—P—

Pageant Films, Inc., Personality Pictures, Inc., Petite Theater, Inc., Pioneer Motion Pictures, Inc.

—R—

Radio City Theater Corp., Reaut Amusement Corp., Remlap Amusement Corp., Rogers Amusements, Inc.

—S—

Shell Amusement Corp., Shubert Theater Corp., Sprinco Amusement Corp., Spuyten Amusement Corp., Success Dramatics, Inc., Straco Amusement Corp., Symphony Theater, Inc.

—T—

Teabro Amusement Corp., Television Pictures, Inc., Theater Advisory Exchange, Inc., Theater Booking Office, Inc., The Theater Foundation of America, Inc., Theater Interests Co., Inc., Theater of the Four Seasons, Inc., Theater Realty Corp., Toledo Amusement Co., Trojan Theaters Corp., Turson Amusement Co., Inc.

—U—

United Ticket Sales Corp.

—V—

Vanguard Films, Inc., Vanwyn Amusement Corp., Vatican Picture Distribution Corp.

—W—

Waldron-Broadway Theater, Inc., Weinworr Amusement Corp., Westminster Cinema, Inc.

—Y—

Yiddish Theater Ensemble, Inc., Yorktown Theater Inc.

—Others—

First National Distribution Co., Inc., 46th Street Theater Corp., 292 Amusement Corp.

New Zealand Imports Show Drop In 1940

Washington Bureau of THE FILM DAILY

Washington—Unofficial statistics from New Zealand indicated that 310 quota films with an aggregate length of 2,153,103 feet were registered during the 39 weeks ended Sept. 28, last, the Commerce Department reports.

This compares with 367 films of 2,502,910 feet registered during the corresponding period of 1939. Of the films registered in the current year period, 273 totalling 1,879,883 feet were "foreign" and 37 totalling 273,220 feet were "British" whereas in the 1939 period 312 films totalling 2,101,100 feet were classified as "foreign" and 55 totalling 401,810 feet as "British."

Skouras Closes Suffern House; Says Pix Withheld

Closing of the Lafayette theater at Suffern, a Skouras-operated house on Tuesday, Wednesday and yesterday because of alleged failure of Warners to deliver "The Letter" resulted in the house placing display copy in the local press asserting that the picture had been contracted for and was available for showing. At the same time, the village officially took cognizance of the situation, Mayor Temple of Suffern calling a special meeting of the village board of trustees. Issue involves clearance, it is understood.

Warner execs. were not available yesterday for a statement.

Frayne, New Chairman Of West Coast's SMPE

West Coast Bureau of THE FILM DAILY

Hollywood—J. G. Frayne assumes the chairmanship of the Pacific Coast Section of the SMPE Jan. 1, succeeding Loren Ryder, who becomes member of the Board of Governors of the national SMPE group for 1941-42. C. W. Handley assumes position of secretary-treasurer of the local section with F. J. Durst, B. Kreuzer and S. P. Solow being elected to board of managers.

Screen Readers Guild Elects

Bill Koenig and Lillian Berquist of RKO Radio's reading departments have been elected president and secretary, respectively, of the Screen Readers Guild.

Eastern Pa. Allied Drops Banquet Plan

Philadelphia—Annual meeting and elections of Eastern Pennsylvania Allied will be held without any festivities on Jan. 14. Plan to have large banquet in the evening has been abandoned because several national leaders can not be present.

20th-Fox Scripting Assignments

West Coast Bureau of THE FILM DAILY

Hollywood—Gardner Sullivan has been assigned to do the screenplay on "Lucky Baldwin"; Robert Carson to script "The Band Played On"; Horace McCoy to write the scenario for "Song and Dance Man"; Warren Duff is preparing the script for "Flight Surgeon," and Nunnally Johnson to do the script for "Fifth Avenue"—all for 20th-Fox.

Army Theaters Will Observe Clearance

(Continued from Page 1)

nection with the forthcoming 20th anniversary of the Department's Army Motion Picture Service on Jan. 2, which will be observed without ceremonies in view of the defense work. The statement, in effect, confirms the earlier story that any request for Easter clearance to Army posts will be denied. The admission fee is set at a point that will pay minimum operating costs, the statement declares, indicating any request for earlier clearance to also will be refused.

Commenting on the anniversary the statement points out the Army MP Service has established over the 20-year record a position as an exhibitor which has enabled it to rent pictures on favorable terms from the commercial film distributors and the benefit of these terms has been shown in the low admission fee. The service, it is emphasized, has avoided direct competition with commercial civilian theaters in adjoining communities. Like any neighborhood theater, the Service shows pictures which already have run at Metropolitan "first-run" houses.

Pratchett, Del Villar Will Visit Para. Home Office

(Continued from Page 1)

Hicks, foreign department chief, for Ancon, Panama, where a convention of Central American sales representatives will be held on Feb. 6. Pratchett and Hicks will visit Mexico en route.

Benito Del Villar, managing director for Chile, is due in New York Dec. 31 for his first visit in seven years. He, also, will attend the sessions in Panama.

Mexican President Sees Metro's "Flight Command"

Cabled reports from the two Latin-American capitals, Mexico City and Havana, where Metro's "Flight Command" had its hemispheric premiere this week simultaneously with Washington and Toronto showings indicate the aviation thriller was viewed "by the most distinguished international audience ever assembled for a premiere." Howard Dietz said yesterday. Dietz was present at the Washington premiere. In Mexico City, the film was shown in the Foreign Office building, with President Camacho, his cabinet and envoys in the audience.

Lodge Pix Release Tied in With Stage Show Opening

"Pirate of the Seven Seas" will be released by Film Alliance of the U. S. on Jan. 6 simultaneously with the opening in New York of the stage piece "Night of Love." John Lodge is featured in both.

REVIEWS OF NEW FILMS

"No, No, Nanette"

with Anna Neagle, Richard Carlson, Victor Mature, Roland Young

RKO 96 Mins.
PLEASING ENTERTAINMENT FOR ALL TYPES OF AUDIENCES IS CONTAINED IN THIS GAY MUSICAL COMEDY.

This gay musical comedy makes pleasing entertainment for all types of audiences. It is peopled by an agreeable and competent cast, director Herbert Wilcox keeps it moving along in sprightly fashion, and producer Herbert Wilcox has afforded it an elaborate and impeccable background. The story itself is well-paced, and although typical of musical comedy stories where music and laughs are the dominant theme, it has sufficient body to hold it together at all times.

All the familiar music of the well-remembered Frank Mandel-Otto Harbach-Vincent Youmans-Emil Nyitray musical comedy has been incorporated into the picture. Wilcox has wisely stuck to the original score.

The ever popular "Tea For Two" is neatly put over by Miss Neagle. Wilcox's direction is smooth, working the musical numbers deftly into the general scheme of things and handling the characters ably.

Miss Neagle is charming, attractive and capable in the principal role, and she has never been photographed to better advantage. Richard Carlson and Victor Mature give good performances as the suitors for Miss Neagle's hand. Remainder of the cast is excellent. Roland Young, Helen Broderick, Zasu Pitts, Eve Arden, Billy Gilbert and Stuart Robertson give excellent support, Young and Miss Broderick making the utmost of their many opportunities for comedy.

Story itself concerns the continuous troubles Young gets into over different women he has been "helpful" to when they were broke and with a little assistance they could be "artists, etc." Miss Neagle works throughout the picture in his behalf to try to keep Miss Broderick, his wife, from finding out, almost losing her own heart interest, Carlson, in the proceedings. However, a fast and funny climax puts almost everything back in smooth running order for all concerned.

CAST: Anna Neagle, Richard Carlson, Victor Mature, Roland Young, Helen Broderick, Zasu Pitts, Eve Arden, Tamara, Billy Gilbert, Stuart Robertson, Dorothea Kent, Aubrey Mather, Mary Gordon, Russell Hicks.

CREDITS: Producer and Director, Herbert Wilcox; Associate Producer, Merrill G. White; Screenplay, Ken Englund; From the musical comedy by Frank Mandel, Otto Harbach, Vincent Youmans and Emil Nyitray; Music, Vincent Youmans; Lyrics, Irving Caesar and Otto Harbach; Cameraman, Russell Metty; Editor, Elmo Williams.

DIRECTION, First-Rate. PHOTOGRAPHY, Fine.

Walter Lang Hospitalized

West Coast Bureau of THE FILM DAILY
Hollywood—Walter Lang, 20th Century-Fox director, is sick with kidney trouble at the Good Samaritan Hospital.

R. E. Hickey In Hospital

R. E. Hickey, RKO Radio field representative in the Chicago district is in the Augustana Hospital for a gall bladder operation.

★ SHORTS ★

"March on Marines"

(Technicolor Special)

Vitaphone 20 mins.
Fair Service Subject

An episodic two-reeler featuring Marine Corps training activities shots held together with a thin story. Dennis Morgan and David Bruce are non-com brothers competing for a chance at an Annapolis appointment. The scope of the competition takes in a variety of Marine activities from the training of recruits to a full dress review. Present day interest in all branches of the service assures an attentive audience but the film is not up to the usual Warner standard for this type of subject. B. Reeves Eason directed from a script by Owen Crump. In addition to Morgan and Bruce, the cast includes John Littel, Mildred Coles and John Ridgely.

"Elmer's Pet Rabbit"

(Merrie Melody)

Vitaphone 7 mins.
Good Rabbit Character

Elmer buys what appears to be a pet rabbit but what turns out to be Bugs Bunny, a screwball. How the wild and tough rabbit turns Elmer's house into a shambles provides plenty of laughs.

"Porky's Hired Hand"

(Looney Tune)

Vitaphone 7 mins.
Just Fair

Porky's misadventures with the dumb watchman of his chicken farm provide a few laughs. The watchman goes into partnership with the thieving fox but Porky arrives in time to save the situation.

Warners Set "Mother's Boys"

West Coast Bureau of THE FILM DAILY
Hollywood—Warner Bros. has set "Mother's Boys" by Fred Niblo, Jr., as a vehicle for William Lundigan, William Orr and Lucille Fairbanks, with Ben Stollhoff directing.

Warner Bros. Change Leads

West Coast Bureau of THE FILM DAILY
Hollywood—Warner Bros. has assigned Donald Reagen and Priscilla Lane to lead roles in "Miss Wheelwright Discovers America." They replace George Brent and Olivia de Havilland.

W. C. Fields for "Great Man"

West Coast Bureau of THE FILM DAILY
Hollywood—Universal has signed W. C. Fields for a new screen comedy "The Great Man," with Gloria Jean and Butch and Buddy in the cast. Edward F. Cline will direct.

RKO Casts Maureen O'Hara

West Coast Bureau of THE FILM DAILY
Hollywood—RKO has assigned Maureen O'Hara to "Water Gypsies."

New England Theater Chains Give Bonuses

(Continued from Page 1)

of employe are long in years, a larger bonus will be given. M & P also will entertain at open house Tuesday at the Scollay Square headquarters for their employes and for newspaper folks.

Keith Theaters also will give bonuses to all employes and will likewise celebrate with open house.

The E. M. Loew organization is another to present cash bonuses to employes and to give special awards to men and women who have distinguished themselves during the year in any branch of their service. Republic Pictures will present cash and gifts to employes and will celebrate with Christmas party at exchange in film district.

Western N. Y. Theaters Hold Shows for Needy

Rochester—Theaters here and surrounding towns are co-operating in staging food shows for the benefit of the needy.

Seven Schine houses—the Liberty, Dixie, State, Madison, Monroes, Cameo and Webster—staged a matinee today at which a can of food was the price of admission. The Motion Picture Operators' Union and employes co-operated.

In nearby Canandaigua, the Playhouse will stage a benefit show tomorrow in co-operation with the Legion and Auxiliary.

In Geneva, Schine's Geneva Theater will hold its benefit show tomorrow.

Local B-96 Elects Ruth Martin

Wilkes-Barre, Pa.—Officers of theater employes, Local B-96, IATSE and MPO, elected at the annual meeting are: Ruth Martin, president; John Dermody, vice-president; Eugene Carroll, recording secretary; Karl R. Thomas, financial secretary (re-elected 4th consecutive year); William Tosline, business agent; Eva Davis, sergeant-at-arms; Harry Jones, Robert McWilliams, Tina Morgan, Mary Jones, executive board; Dorothy Peters, Marion O'Neill, Daisy Miles, trustees; Ruth Martin, Loretta Stewart, delegates to the Central Labor Union.

McKelvey Heads Local 152

Hazleton, Pa.—Vincent McKelvey was elected head of Local 152, IATSE and MPO. Other officers chosen were: John Gallagher, vice-president; William Boyle, business agent; Anthony DeCosmo, secretary-treasurer; Henry Krissinger, recording secretary; Alex Smutzer, sergeant-at-arms. Installation will be held January 5.

Weiss Takes the Clinton

The Clinton Theater has opened as a first-run Yiddish film house. Louis Weiss operates.



THE CRITICS OF THE NATION ARE
NOW CASTING THEIR VOTES FOR
THE TEN BEST PICTURES OF 1940
IN THE FILM DAILY ANNUAL POLL



\$32,544,000 in Exchange Sales in '39, Says U.S.

Census Bureau Reports 214 Branches Operate; Equipment Sales at \$10,197,000

(Continued from Page 1)
show increases in every category, the report reveals. The number of exchanges went from 165 in 1935 to 214 in 1939. Active proprietors of unincorporated businesses increased from 43 to 64. Number of employees (average for year) went from 946 to 1,693. Total payroll increases from \$1,691,000 in 1935 to \$4,107,000 in 1939. Operating expenses (including payroll) were given for 1939 but not for 1935. Such expenses amounted to \$6,925,000 in 1939, which was 21.3 per cent of the sales. The exchanges were listed in the report under Service and Limited-Function Wholesalers. Stocks on hand at end of year, at cost amounted to \$3,241,000.

Figures for motion picture equipment and supplies (except films) for 1939 showed 66 establishments having sales of \$10,197,000 and operating expenses of \$1,596,000, which was 15.7 per cent of sales. Active proprietors of unincorporated businesses were 15 and average number of employees 439. Total payroll was \$797,000 and stocks on hand at the end of the year, at cost amounted to \$1,242,000.

Cameras and photographic supplies were reported for 1939 as 112 establishments with sales of \$14,052,000. Operating expenses were \$3,041,000 which was 21.6 per cent of sales. Active proprietors of unincorporated businesses were 66 and average number of employees 931. Payroll was \$1,542,000 and stocks on hand at end of year at cost, \$2,217,000.

Erpi Classroom Films Has Four S. A. Shorts

Erpi Classroom Films will release four subjects produced in South America and recently brought to this country by Julien Bryan, producer of "Siege." Three of the subjects, to be released one each month, have been completed and the other will ready soon.

Revising the Manual

Omaha, Neb. (Un-censored) — When Columnist Louella Parsons told of Major W. S. Van Dyke using the command of "Cut" to stop any movement, when he couldn't think of the more orthodox and regulation military command of "Halt," World-Herald movie columnist Keith Wilson wasn't to be outdone.

In his stint, he announced that former Lincoln Journal movie editor, Capt. Barney Oldfield, was having the same trouble, only he couldn't think of "Present Arms," and subdued by singing out "Hedy Lamarr."

N. Y. Labor to Renew Drive for Bill Making Stockholders Liable for Employes' Wages

Albany—In the wake of the State Federation of Labor's Executive Council meeting here, it was learned the A. F. of L. group will again give its endorsement to a bill making stockholders liable for the wages of employees.

This measure, pushed in the past by industry employes, would prevent corporations whose stockholders are solvent from going out of business without paying the lawful wages owed to employes. On two occasions the measure has passed one house of the legislature only to die in the other branch.

Warn Service Men's Subs. Jobs Are Temporary

(Continued from Page 1)

that their employment is temporary in character and subject to termination at any time. The bulletin contends that such an understanding should be put in writing and signed by the applicant at the time of employment.

It is further pointed out that replacement employes, when hired to replace individuals called to service, are not subject to the re-employment provisions of the Selective Training and Service Act of 1940 if they, themselves, are subsequently called for military service. Similar consideration should be given the permanency of promotion of regular employes to key positions vacated by those called for training, the bulletin advises.

Another point to be considered in hiring new employes, it is stated, is that the Act states that it is the sense and intent of Congress that employers in replacing individuals should not employ members of the Communist party or of the German-American bund.

Phonovision Plans Mass Production in January

(Continued from Page 1)

excess of ability to deliver at this time. Preparations also are being made to produce the subjects on a large scale.

New Argentine Agency

Buenos Aires (By Air Mail)—Ricardo F. Cerbello artists' rep., has organized a new agency, OCRA, said to be modelled after that of Myron Selznick.

Hamilton Roxy Damaged

Hamilton, Mont. — Fire, which broke out in the Roxy Theater here during the show, damaged the interior between \$1,000 and \$2,000.

Form Volusia Drive-In

Lakeland, Fla.—Volusia Drive-In Theater, Inc., has been chartered by C. G. Ashby, H. L. Nadeau and J. M. McNatt.

Walker Opens in Summerton

Summerton, S. C.—A new theater has been opened here by W. S. Walker.

Shuttee Leaving Cooper Post in Oklahoma City

(Continued from Page 1)

ferred his resignation to President Joe H. Cooper. Company operates seven theaters here. Cooper is here from New York City and reports are that he plans to make his home and headquarters here.

Shuttee said he has no immediate plans for the future, and will remain as city manager until his successor can be selected, probably early in January. He has been connected with Standard Theaters and Paramount-Public Corp., operating partners in Oklahoma, Colorado and Nebraska, for the last 12 years. He has been general manager since resignation of B. F. Moore in February, 1939.

Darmour Borrows Hoagun For "Ellery Queen" Film

West Coast Bureau of THE FILM DAILY

Hollywood — Larry Darmour has borrowed James Hoagun from Paramount to direct the next "Ellery Queen" mystery feature for Columbia. Production planned to start the first of the new year. As in the first of the series which was "Ellery Queen, Master Detective," Ralph Bellamy will be starred with the principal supporting roles in the hands of Margaret Lindsay, Charlie Graewin and James Burke. Eric Taylor is completing the screenplay which is based on one of the "Ellery Queen" transcontinental radio programs, film rights to all of which and the other "Queen" novels are owned by Darmour.

"Adolescence" Will Have Premiere in Coral Gables

Coral Gables, Fla.—"Adolescence," first feature-length picture produced by George Hirshman in the new Coral-nade Studios, has received a Hays seal. Plans are under way for an elaborate premiere at the Olympia theater.

Duals Stay; Vaude Out

Nashville, Tenn.—The Princess, of the Crescent Amusement Co. chain, managed by Russell Parham, will stick to duals. This means that Nashville will have no vaudeville this season for first time in years.

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD

REDBOOK MAGAZINE has chosen "Our Town" as the best picture of 1940. Bette Davis will make the Redbook trophy presentation to the cast and creators of "Our Town" on the Screen Guild show over CBS Dec. 29.

"STAR OF LOVE," an original composition by Gregory Stone introduced in Monogram's "Her First Romance," will be published by BMI. The number is sung by Edith Fellows and Wilbur Evans in the picture, which is based on Gene Stratton-Porter's "Her Father's Daughter." Adele Comandini wrote the original screenplay. Edward Dmytryk directed this I. E. Chadwick production.

ROUBEN MAMOULIAN has dispatched a camera crew to Mexico City to plot camera set-ups for "Blood and Sand," starring Tyrone Power. Mamoulian will direct for 20th Century-Fox. Almost the entire picture will be shot in the vicinity of Mexico City.

REINHOLD SCHUNZEL, who currently is preparing to direct "New Wine," starring Ilona Massey, has left for Inyo County, with a camera crew and a group of five expert skiers to film skiing and mountain background scenes.

CLARENCE BROWN, who recently finished the direction of "Come Live With Me," for M-G-M, has one more picture to do at that studio under his present contract. When he completes that picture he will sever connections with M-G-M, with which company he has been for 15 years. He plans to free lance.

LARRY DARMOUR was forced to halt production on his Columbia serial, "The White Eagle," due to the illness of Buck Jones who is down with the flu.

DOUG YATES, who has been with Republic in various capacities, has been made assistant to producer, Albert J. Cohen. His "initial feature" will be to assist on "Rookie's Roost," story based on conception.

SIGMUND NEUFELD has purchased George Bricker's original story "Alimony Jail," a comedy which Neufeld will place in production in February for PRC.

CHARLES WINFIELD MEGGS has resigned as advertising art director at Paramount studio to assume presidency of Hollywood Studio Publishers, Inc., which will design and manufacture games, toys, paint boxes and novelties with a Hollywood flavor. Howard J. Krespe, member of the Krespe chain-store family, will be vice-president and Maurice Smith, Detroit broker, secretary-treasurer. Meggs will also continue to operate his own advertising art service.

Building
Remodeling

THE *Film* News DAILY

Equipment
Maintenance

VOL. 78, NO. 121—Second Section

NEW YORK, FRIDAY, DECEMBER 20, 1940

TEN CENTS

D OF C REPORTS SHARP INDUSTRY GAINS U. S. Air Conditioning's Biz Up 33% In '40

Personnel Is Expanded To Take Care Of Orders Of Filmland and Defense

Sweeping gains in volume business were recorded this calendar year by U. S. Air Conditioning Corp., of Minneapolis,—the upswing amounting to approximately 33 per cent,—it was stated last night by A. A. Feinberg, company's president, who is on a brief business visit to New York.

He declared that his organization's plant is currently at capacity, and that 75 more highly-skilled tech-

(Continued on Page 4)

Loew's Will Launch American On Dec. 26

Loew's, Inc., will open next Thursday its American Theater located in the heart of the remarkable housing development which the Metropolitan Life Insurance Co. has built in East Bronx, and known as the Parkchester Development.

The house, seating 2,000 of which 1,400 seats are on the main floor

(Continued on Page 8)

New Type Flashed Glass Is Announced by Wagner

Chicago—E. Wagner, president of Wagner Sign Service, Inc., announces that Wagner Special Flashed Glass has been developed for the use of that company exclusively.

It is a new type of flashed glass, translucent opal glass flashed onto

(Continued on Page 7)

Optical Firms Ready

Rochester—Optical firms are better equipped to meet the national emergency now than in 1915, according to Carl L. Bausch, vice-president of Bausch & Lomb Optical Co. He stated here that "our industry has doubled in the past 25 years, and despite the fact that there are fewer skilled mechanics now, the industry knows it can handle any demands the emergency may make."

★
Now
that
Santa is
at the chim-
ney and 1941
is just around the
corner the gang from
the Film Daily takes this
opportunity to wish all a
good old fashioned Merry Xmas
and a full year of health happiness
and prosperity during 1941... We are
all happy to play our modest parts in this
great industry... Most of our friends are in
it... Our hearts are part of it, our future belongs
to it... Now that the industry can once again look
forward to better times we should all be more cheerful
... happy in the thought of the small part we all
play in a great industry that has brought cheery
hours to many millions... the greatest force
for moral progress the World has ever known
... Again Merry Xmas and Happy New
Year... and as Tiny Tim would say it
"God Bless us, each and everyone."



From the Staff of
Film Daily Equipment News



Nabes May Get Latest Sound Small Houses Eyed For RCA Panoramic

G-E Receives Biggest Fluorescent Lamp Order

Cleveland—Executives of General Electric's Nela Park plant have announced here receipt of an order from the Packard Motor Car Co. for its 100-watt fluorescent lamps which Packard will use to relight an existing factory and to illuminate the

(Continued on Page 7)

RCA's Fantasound, developed especially for Walt Disney's Fantasia may soon be available to nabe stands as well as metropolitan film palaces through the medium of RCA Panoramic Sound, it is asserted by Edward C. Cahill, Photophone division manager.

Actually a simplified version of RCA Fantasound, RCA Panoramic Sound utilizes auxiliary amplifiers, and loudspeakers to the right and

(Continued on Page 5)

Products Rocket 15.5% While Establishments Register a Rise of 46.8%

Washington Bureau of THE FILM DAILY
Washington — Value of industry products, comprising those of manufacturers of projection equipment exclusive of lenses but including photographic apparatus and materials, amounted in 1939 to \$133,899,429, an increase of 15.5 per cent over \$115,887,589 registered in 1937, it was disclosed this week by the prelim-

(Continued on Page 4)

Motigraph's Biz Continues to Grow

Chicago—Motigraph, Inc., headed by Fred Matthews, reports numerous new installations effected recently by the company.

Among orders filled for both Motigraph Projection Equipment and Mirrophonic De Luxe Sound Systems

(Continued on Page 7)

Progress in Equipment Is Told at SMPE Meeting

Three of the most recent and outstanding developments in the technical field of equipment were outlined formally for the first time in the East, during the meeting of the Atlantic Coast section of SMPE in the Hotel Pennsylvania's Salle Moderne on Wednesday night.

Robert O. Walker, president of the Walker American Corp., described in his paper delivered at the con-

(Continued on Page 5)

Torch Is Held High

North Little Rock, Ark.—C. C. Mundo, owner of the Rex in Little Rock, and general manager of the new Liberty Theater here, has not only given latter house a patriotic name but has symbolized "Liberty" via a flaming red torch built on the center section of the marquee. The device is a constant reminder to the community of what Americans must defend in a topsy-turvy world.



A Second Section of THE FILM DAILY comprehensively covering the equipment field, published every second Friday, except holidays, by Wida's Films and Film Folks, Inc., 1501 Broadway, New York City. John W. Allicote, Publisher; Donald M. Moser, General Manager; Chester B. Bahn, Editor; George H. Morris, Equipment Editor. West Coast Bureau, 6425 Hollywood Boulevard, Hollywood, Cal., Ralph Wilk, Bureau Chief.

COMING and GOING

A. A. FEINBERG, U. S. Air Conditioning Corp., leave New York today for company's headquarters in Minneapolis.

JOHN EBERSON, film theater architect, arrived in Washington early yesterday morning from New York and is expected to return here on the week-end.

R. D. WALKER, president of the Walker Amusement Corp., visited New York this week from St. Louis.

E. K. CARVER, of Eastman Kodak, arrived in New York from Rochester at mid-week to attend the Atlantic Coast meeting of SMP.

A. C. DOWNS and D. B. JOY, of National Carbon Co., were in New York for the SMP meeting from Cleveland.

WAYNE BRENKERT, of Brenkert Light Projection Co., has returned to Detroit from a visit to New York.

PAUL ARNOLD, of Agfa-Anso, arrives in Birmingham this week-end following a visit to New York.

SAM ROTH, of Pitts-Roth Corp., Suffolk, Va., was in town this week.

PHIL EISENBERG, of Rhinebeck, N. Y., was in New York during the week for consultations with Joe Harstein who is equipping one of the former's theaters.

HENRY GROSSMAN and HENRY FRIEDA came to New York this week from Hudson, N. Y., on theater equipment business.

Government and Malco Sign Pacts with Altec

Altec Service has been chosen to install and service new sound equipment in the Marine Barracks, Parris Island, S. C. Company will also service the Lyceum Theater there. L. S. Johnson negotiated for Altec.

Organization's home office also announced that Malco Theaters, Inc., North Little Rock, Ark., has renewed its contract with Altec for service covering Malco's 57 theaters in Arkansas, Mississippi, Kentucky, and Memphis, Tenn. A. Fiore negotiated for Altec.

Allen to Cost \$75,000

Detroit—Max Allen is completing plans for a new 1,000-seat house in the suburb of Allen Park, which will also bear the name of Allen. Allen is now operating the Lincoln Park Theater in the suburb of Lincoln Park. New house will include three stores and will cost about \$75,000.



Bodiform Chairs Command Notice in Pix Theater

Marked interest is being manifested in equipment circles in the unusually desirable arrangement and comfort afforded through American Seating Co.'s Bodiform chairs installed in the recently-opened Pix Theater, Rock Hill, S. C., owned and operated by Robert E. Bryant.

House, designed by Ben Schlanger, provides for 725 auditorium seats, with some 150 in the balcony, and spacing of rows 37 inches, measured back to back.

The seat backs are covered in deep blue mohair, and cushions of Royal-foam latex rubber covered with simulated leather.

Royalfoam is the product of the U. S. Rubber Co. which is using it extensively in film theater seating.

U C & C Will Construct New Plastics Factory

Accelerating a long-range program designed to make Union Carbide & Carbon Corp. one of the dominant factors in the fast-growing plastic field, the organization announces plans to build one of the largest plastic plants in the country.

The new facilities, expected to cost between \$2,000,000 and \$3,000,000, will be located in Bound Brook, N. J., and will triple Union Carbide's output of vinylite plastic, which in sheets is very strong, flexible and elastic, and is not susceptible to oxidation or chemical action. It can be made transparent or in colors.

Donlevy Gets New Post

Harold B. Donlevy, manager of the appliance department, merchandising division of Westinghouse Electric & Mfg. Co., has been appointed merchandise sales manager of Westinghouse Supply Co., with headquarters in New York, it is announced by B. W. Clark, president of the latter company.

Cornn Buys Via NTS

Pineville, Ky.—Dr. J. S. Cornn's Bell Theater here has just been equipped with Irwin chairs, Super-Simplex projector, Simplex Hi-lamps, Simplex reflectors, Walker screen and Crestwood carpet supplied by National Theater Supply Co., Cincinnati.

Marketing Fluorescent Mix

Chicago—The Willemite Products Corp. here is offering a new fluorescent mix, the new M20 Green, that has, according to the company, stepped-up brilliance, absolute uniformity and purity and ultra-smooth coating qualities.

L. T. & E. Slash Prices

Chicago—The Luminous Tube & Electrode Co. here have cut the price list of their line of fluorescent tubing and electrodes. Seven colors are offered in the new price list.

Cumberland Amusement Launches Mecca Theater

Tullahoma, Tenn.—The Mecca, new house constructed here by the Cumberland Amusement Co., opened last week-end. Eugene Russell, formerly on the staff of the Princess at Nashville, is the manager.

The increase in population of this city due to construction of the huge army cantonment at Camp Peay and the coming of 25,000 army recruits early next year is the reason for opening this house. It is a 400-seater, modern in every respect. Another theater, located near Camp Peay, is contemplated. Cowan Oldham, McMinnville, is manager of Cumberland Amusement Co.

Crocker and Andrews Assigned G-E Duties

Stuart M. Crocker has relinquished his responsibilities as manager of General Electric's air conditioning and commercial refrigeration department, upon being elected a vice-president, and will henceforth be concerned with customer relations.

H. L. Andrews, a G-E vice-president, assumes direction of air conditioning and commercial refrigeration in addition to carrying on as head of the company's appliance and merchandise department.

Becker Signs Photophone

M. Becker, vice-prexy of the new Ebersson-designed but yet-unnamed theater which is being built in Cohoes, N. Y., and which will operate as a Fabian affiliate, has signed with RCA Photophone for new High Fidelity sound for the house which is tentatively scheduled to open during April, 1941.

Sparks Announces Another

Ocala, Fla.—The E. J. Sparks interests will construct a theater here on W. Magnolia St. near Fort King Ave. House, which will be the largest in the city and one of the largest in this part of the State, will seat 1,000. It will be air-conditioned and provided with the latest devices in screen and sound equipment.

New Sound for Strand

H. P. Vonderschmitt is bringing his 1,098-seat Strand, Crawfordsville, Ind., one of the largest of his eight theaters, up to date with new sound.

La Mantia Bros. Turn Exhibs.

Philip and Antonio La Mantia, brothers, operators of an automobile agency at Nanty Glo, Pa., are building a theater there.

Shutters for New Sound

Indianapolis—The Indiana Theater has closed until December 25. While closed, a new RCA sound system will be installed.

PLAIN TALK

... about equipment

By GEORGE H. MORRIS
Equipment Editor, THE FILM DAILY

WITH the subject of projection progress a prime one for every circuit and exhibitor, as well as a matter of deep consequence to the industry and public at large, we turn the spotlight editorially today to O. M. Jacobson, secretary of District 1, IATSE and Motion Picture Machine Operators of the U. S. and Canada, headquartered in Tacoma, Wash.

The astute Jacobson, if you will turn to the organization's Quarterly Bulletin published this month, presents therein an important article: "Herbert Griffin vs. Obsolescence,"—being a digest of what Griffin had to say on the subject of "Problems in Modern Projection," an address which he delivered before a class at the University of Oklahoma.

Griffin, an authority on the subject of projection, and one of the top figures in International Projector Corp., stated: "Hollywood and the making of pictures have monopolized public interest in the motion picture field and it is easy to understand why so little is generally known about putting the picture on the screen. But those connected with the motion picture industry have less excuse for this lack of knowledge, and it seems to me should be better informed regarding the methods and materials which enter into the manufacture of projection equipment."

"EVEN a good projectionist striving in every possible way to secure excellent screen results can do little with inferior equipment. Successful exhibitors realize that a poor picture is objectionable to an audience, even though not actually objected to."

"Good projection really costs less in the long run. The theater that continually features good projection becomes known as a reliable source of good entertainment. Casual visitors become steady patrons."

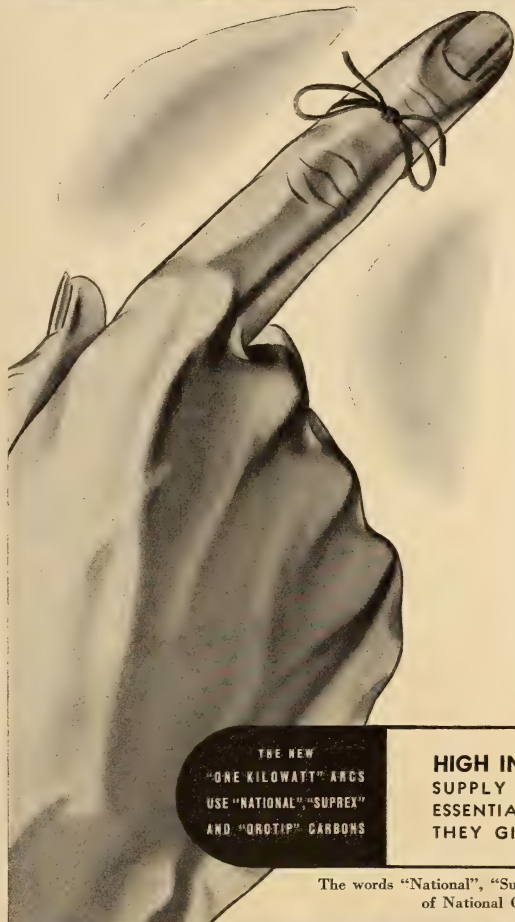
The average theater, Griffin avers, projects 200,000,000 separate pictures (i.e. frames which must stand before the public's eyes as individual images) each year. Therefore, he points out "I say there is no excuse for those actively engaged in the industry to ignore the comfort and pleasure of the theater-going public by using obsolete equipment. Our records (International Projector Corp.'s) indicate that exhibitors realize this fact."

WE agree with the fact that they realize it. Otherwise the strong gains in the projection field—as reported in the columns of EQUIPMENT NEWS today and emanating from the authoritative Dept. of Commerce,—could not have been realized. But there still remains a large segment of exhibitors who should augment their realization with action to improve their screen images.

Can any exhibition outlet's management name a more useful and profitable gift to selves and patrons (since this is the "present" season) than thoroughly modern and efficient projection to supplant ineffective, obsolescent equipment?

Such a gift would make Prosperous New Year . . . plural.

Remember This!



PATRONS PAY TO *See* THE PICTURE

● The surest way to keep your patronage in the profit range is to use the best projection light available.

That means *High Intensity* projection—the light of daylight quality—that insures clear, comfortable vision of the fast moving, colorful modern productions.

The new "One Kilowatt" arcs now bring High Intensity projection to the small theatre—50% more light than Low Intensity projection at no increase in operating cost.

Installation costs are so low that no theatre can afford to be without this modern projection light.

Let your patrons SEE your pictures with maximum enjoyment. Satisfied patrons come again and bring others.

THE NEW
"ONE KILOWATT" ARCS
USE "NATIONAL," "SUPREX"
AND "OROTIP" CARBONS

**HIGH INTENSITY CARBON ARC LAMPS
SUPPLY ALL THE SPECTRAL COLORS IN
ESSENTIALLY EVEN BALANCE. THAT IS WHY
THEY GIVE TRUE COLOR REPRODUCTION.**

The words "National", "Suprex" and "Orotip" are trade-marks
of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC.

Unit of Union Carbide and Carbon Corporation



Carbon Sales Division, Cleveland, Ohio

GENERAL OFFICES

20 East 42nd Street, New York, N. Y.

BRANCH SALES OFFICES

New York, Pittsburgh, Chicago, St. Louis, San Francisco

Big Industry Gains Revealed by D of C

(Continued from Page 1)

inary figures compiled from returns of the Census of Manufactures for 1939 and released by the Bureau of Census, Department of Commerce.

Sources in Washington last night told EQUIPMENT NEWS that the informal study of indices for 1940 indicate that the rate of gain this year is expected to be at least the equal of that registered over the previous three-year period.

There were 160 establishments in 1939 against 109 in 1937 for an increase of 46.8 per cent; 4,419 salaried personnel in 1939 compared to 4,762 in 1937, a decrease of 7.2 per cent; salaries of such personnel was \$11,098,065 in 1939 and \$10,828,947 in 1937 for an increase of 2.5 per cent; cost of materials, supplies, fuel, purchased electric energy and contract work was \$42,556,269 in 1939 and \$36,652,879 in 1937 for an increase of 16.2 per cent; and the value added by manufacture was \$91,343,160 in 1939 and \$79,234,710 in 1937 for a gain of 15.3 per cent.

The industry, as constituted for census purposes, embraces establishments primarily engaged in the manufacture of photographic and motion picture cameras and projection apparatus, and associated materials and supplies such as films, sensitized paper and plates, reels, tanks, tripods, etc.

The wage earners primarily engaged in manufacturing in this industry in 1939 were 17,271, a decrease of 6.4 per cent compared with 18,450 reported for 1937, and their wages, \$25,286,669, were less than the 1937 figure, \$28,875,712, by 12.4 per cent. These decreases may be partially accounted for by the fact that the 1939 Census questionnaire, for the first time, called for personnel employed in distribution, construction, etc., separately from the manufacturing employees of the plants. It is not known how many of the wage earners reported for 1937 were engaged in distribution and construction and how many were engaged in manufacturing. Employees of the plants reported as engaged in distribution and construction activities in 1939 are not included in this preliminary report but will be included in the final report.

Four Get General Chairs

Chicago—General Seating Co. reports installation of its chairs in the local Webster Theater. Also that the Luciani in Memphis has purchased seats of same manufacture through Monarch Theater Supply there, and that the Loma in Lawrenceville, Ga., and the Queens St. Louis were other purchasers. Capitol Theater Supply of Atlanta furnished the Loma's seats, and the L. T. Rockenstein Co. those for the Queens.

OF MATERIAL INTEREST



• • • CHRISTMAS wouldn't be Christmas..... if we rolled out of bed with the first rays of the sun..... and made our eager way to fireplace mantle and Xmas tree..... to find that the necktie from Aunt Minnie could be worn with anything but a racetrack suit..... or Uncle Jim's sincerely-sent but sinfully-scented cigars could be smoked..... without the neighbors' conviction that your overshoes had ignited..... Yep, at best, Old Santa has a tough job equipping our individual houses..... with exactly what we like and need..... It may not be cricket to muscle-in on St. Nick's racket..... but we have a hunch that here's what the following would like for Yule:

• • • E. A. WILLIFORD, continued high-intensity trade.... Walter E. Green, even more branches on the flourishing NTS tree..... L. W. Conrow, plenty recruits for the "service"..... Bob Walker, for every house to operate on a p.m. (plastic molded) policy..... Bill Gedris, that all situations will be ideal..... M. E. Miller, for every theaterman to take the cue and play one cushion..... Karl Brenkert, '41 to be big "80" year..... Paul Garst, more aisles to conquer..... Charlie Casanave, huge demand for smart accessories..... Bert Sanford, Jr., contracts, yeah, but none for acting..... C. G. Taylor, that we all live in glass houses..... A. A. Feinberg, all pic houses to have the right "atmosphere"..... Raymond S. Reed, the customers to be properly seated..... Morton L. Clark, such royal biz that every stand'll yell for a marquee..... Myron Kennedy, all "Little Three" championships..... Carl Bausch, for his lens system to be as widespread as the Lenz System..... R. B. Lord, a Captaincy..... Joe Hornstein, Florida..... George Hornstein, some of the same..... David Schmidt, American arms around all pic patrons.....

• • • FRED MATTHEWS, a perpetually rising graph for Motion picture..... John Ebersson, a Christmas stocking in artistic proportion to his office fireplace..... Drew Ebersson, an inter-state commuter's ticket..... George Friedl, for the industry to be always sound..... Julius Haber, just a battery (of automatic typewriters)..... George H. Bucher, orders could be filled as easily as an Xmas basket..... Ray Sherman, a huge net..... A. E. Meyer, his craft laden with sales..... C. C. Koonitz, increase in international trade..... P. C. Sowersby and C. M. Cutler, to solve all current problems..... Jack Hertzler, more grid victories over Lafayette..... Francis Falge, that his cares will be always light..... Ben Schlanger, a peaceful Yule without having to make plans..... Herb Griffin, a fling at the Gordian Knot..... Ralph Austrian, more sound ad campaigns..... J. E. McAuley, a whole army of clients to give him orders..... R. F. Winegar, a bright and row-sy New Year..... E. Bruce Johnson, those new facilities to supply demand..... P. A. McGuire, lots of support for Back-to-the-Land movement.....

• • • A. BROGGINI, an original Christmas and no carbon copy..... Dr. Herbert T. Kalmus, the most colorful year in film history..... H. Wendt, more ideal and strong accounts..... Herman DeVry, as big gains in '41 as in '40..... J. I. Lyle, for carriers to be exceedingly common..... C. Forristall, continuing equipment boom..... Charles H. Kenny, to be cited for lots more decorations..... Eduardo Battisti, more swell photos of more swell jobs..... B. B. Buchanan, more chairs in houses..... J. Rosenheim, that Southern sunshine..... Phil M. House (your correspondent), rubber type to get the names of all the boys into this here colyum.

U. S. Air's Biz Up 33 Per Cent In '40

(Continued from Page 1)

nicians and workers have been placed on the payroll to care for orders placed by both motion picture theater interests and the Government. Contracts with the latter are for national defense purposes.

Feinberg said that the company is directing its commercial activities so that filmland will be enabled to have its air conditioning demands met at all times.

It is noteworthy currently, he declared, how much new theater construction is under way in all sections of the country, and the inclination of circuits and independent exhibitors to improve existing properties via the latest types of air conditioning units is likewise apparent.

At the present time, Feinberg added, one of the most dynamic markets for air conditioning is in the southeastern sections of the U. S.

Crescent Circuit Names New Theater The Roxy

Decatur, Ala.—"Roxy" has been selected as the name for a new theater under construction here for the Crescent Amusement Co. of Nashville. The house is expected to open Jan. 1.

H. Bahnke, installation superintendent for the Crescent Co., will arrive soon to install picture machines and sound equipment.

G. P. Banniza, manager of the Princess Theater, belonging to the Crescent chain, will also be manager of the Roxy.

Acquires Building Site

Brownsville, Tex.—Largest building in the Lower Rio Grande Valley is planned by Karl Hoblitzelle of the Interstate Amusement Co. of Dallas, to house a new theater, offices and stores here.

The company is reported to have closed a deal for a \$27,000 lot in the business district, site of the home of the late Judge James B. Wells, for erection of a \$350,000 structure.

M-G Studios List Jobs

Detroit—Mork-Green Studios is installing stage equipment and house drapes in the Oswego at Oswego, N. Y., and the Riverside and Granada at Buffalo, for the Schine Circuit; the Hill at Hillsdale, Mich., and the Strand at Flint for the Butterfield Circuit; the Ohio at Toledo for Jack O'Connell; and the Strand at Alliance, O., and the Marlow at Buffalo.

Get Ready for Xmas

New Haven—Warner Theater Department closed both the State, South Manchester, and the Rialto, South Norwalk on Dec. 16 to complete renovation of the houses, which will reopen Christmas Day.

Progress In Equip. Told At SMPE Meet

(Continued from Page 1)

clave a new chemical cleaner made available exclusively for the Walker Plastic Molded Screen, and the method for its utilization.

According to Walker, this new method of cleaning the PM screen is the first successful one developed as yet in the screen industry. In the demonstration he showed that any theater employable able to read simple directions can clean a PM screen in one hour, leaving no streaks and no dirt. The chemical cleaner, Walker pointed out, will keep a PM screen at 98 per cent efficiency for at least three years, and that National Theater Supply Co. will distribute the new Walker PM chemical cleaner which will probably retail for about \$5 the gallon, although final costs are not definite yet.

D. B. Clark and G. Laube of 20th-Fox, Hollywood, described the new 20th-Fox Camera and accessories, and D. Y. Bradshaw, of The March of Time, gave a detailed account of "Production Quality Sound With Single System Portable Equipment," which was used in making "The Ramparts We Watch."

Warners Will Put Up New Theater In Albany

Albany — Warner Bros. Theaters announce consummation of plans to erect a new 700-seat theater in the Delaware Ave. section here, long without films. Announcement was made by M. A. Silver, zone manager.

Seating capacity will be all on one floor, with building housing several other stores. Albany architectural firm of Blatner & Van Der Bogert has been selected to design the house.

Rockenstein Org. Lists Sales

St. Louis—The L. T. Rockenstein Co. announces here that its list of recently installed new booth equipment includes those furnished to the Liberty, Sedalia, Mo.; Uptown, Mt. Carmel, Ill.; the Gem of the I. W. Ridgers Circuit, Cairo, Ill.; Havana, Havana, Ill.; Lawford, Havana, Ill.; Fairy, St. Louis; Paramount Film Exchange, St. Louis; and the Orris, St. Genevieve, Mo.

Theater Being Remodeled

Albany—Hudson Theater, dark for years, is to be remodeled at a cost of \$25,000, but architects and equipment have yet to be lined up. A former Schenectady exhib. is said to be the new lessee.

Carnahan to Rebuild

Sandy Gap, Ky.—W. F. Carnahan will erect a new theater on the site of his house recently damaged by fire. Carnahan also operates in Beattyville, McKee and Moorehead, Ky.

WHO'S WHO IN EQUIPMENT

T. KENNEDY STEVENSON. President of Electrical Research Products, Inc. Born Chambersburg, Pa., Nov. 10, 1883, son of Dr. Alexander R. and Mary Margaret Stevenson. Married Candace Thurber. Graduated from The Hill School in 1901, and subsequently from Princeton University, class of 1905, and joined American Locomotive Co. that same year. In 1910 became assistant treasurer of Duplex Metals Co. Entered Western Electric, New York, in 1914. Became sales manager of St. Louis distributing branch, 1916. Returned to New York office in 1919, and in 1921 became assistant comptroller. Named personnel director, 1927, and comptroller of manufacture the following year. Elected Erpi president in 1938. He is president and director of 10 Erpi foreign subsidiaries; director of Audio Productions, Erpi Classroom Films, Inc., General Service Studios, Inc., Western Electric Co., Ltd., of London, and Western Electric Co. (Orient), Ltd.



Wide Theater Use Seen For New Lustron Plastic

Cincinnati — The first important use of plastic in building and interior decoration is announced by Monsanto Chemical Co. with a display of a new plastic tile molded of Monsanto's new material Lustron, a polystyrene material. The tile is being produced by Cooperative Display, Inc., here.

Tiles are made in a wide range of colors and are translucent to light, and extremely resistant to chemicals, water and atmospheric conditions. They are expected to have an important use in decorating walls of film theaters.

The tiles are produced as shallow blocks which can be bolted together by wire snaps or joined with a cement.

Michigan House Remodeled

Detroit — Virginia Theaters, recently taken over by William Schulte from the Portel Circuit, has been remodeled at a cost of about \$10,000, with T. J. Jagmin, Inc., doing the decorating, and International Seating the reseating. New projection will be installed later.

Welworth Signs Altec

The Welworth Circuit, operating ten theaters in North Dakota, South Dakota, Minnesota and Wisconsin, has signed a service contract with Altec. O. E. Maxwell negotiated for Altec.

A STEAL at \$6.95

125 Ticket Receptacles
World's Fair Surplus

45 inches High
Chrome Rolled Rim Top with
Plate Glass Sides and Baffles
Locking Compartment
Heavy Steel Streamlined
Construction

Original Cost \$50—NOW \$6.95

S O S Cinema Supply Corp.
636—11th Ave. New York City

Work Progressing On Two Montreal Theaters

Montreal — Construction is progressing rapidly on two new film theaters here. One of the houses is located on Sherbrooke St. and will seat 1,000 persons. The other is on Saint Denis St., and will seat 750.

Eliasoph & Greenspoon of this city are the architects, and Ben Schlanger, theater architect of New York, is consulting architect.

Several new developments in acoustical treatment, lighting, seating, sight lines, and projection will be incorporated in these projects.

Latest RCA Sound May Go Into Nabes

(Continued from Page 1)

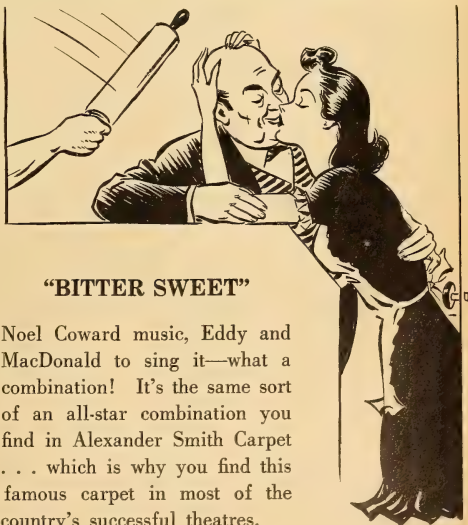
left of the screen, or at other locations in the theater, and simplified control units installed in standard film soundheads. The auxiliary equipment is controlled by a special "cue" sound track on one side of the film. It was developed in the RCA Research Laboratories.

Speech is reproduced in the conventional way from a standard sound track over the regular system. For music, sound effects and other selected sequences the auxiliary loudspeakers are called upon to reproduce the same program material supplied to the regular channel. Thus, an orchestra portrayed on the screen sounds as though it were actually on the stage, since the sound comes from as wide a source on the stage as the orchestra itself would occupy.

RCA Panoramic Sound principles have been applied experimentally by Warner Bros. in "The Santa Fe Trail," now being released. Establishment of film standards by the Academy of Motion Picture Arts and Sciences must precede its general release to the industry, Cahill explained.

Majestic in Final Stages

Tulsa, Okla.—Ralph Talbot is completing his new Majestic Theater here.



"BITTER SWEET"

Noel Coward music, Eddy and MacDonald to sing it—what a combination! It's the same sort of an all-star combination you find in Alexander Smith Carpet . . . which is why you find this famous carpet in most of the country's successful theatres.

ALEXANDER SMITH CARPET

Three Ont. Houses Currently In Work

Toronto—Harold S. Kaplan and A. Sprachman, local film theater architects, state that, plans having been completed, work is being currently carried on for remodeling of the Madison Theater here which, upon completion, will be rechristened the Midtown. House will be modern in every respect and have the finest type seating, air conditioning, projection and sound. Cost of the project is about \$75,000.

Plans have been prepared and work just started for a new 300-seater in Pembroke, Ont. This will be a one-floor, completely fireproof structure, thoroughly up-to-date in equipment and appointments.

Kaplan and Sprachman say that work has begun also on a 700-seater in Chatham, Ont., which, as in the case of the two aforementioned theaters, is being constructed from their designs.

Jones and Boyd Launch Their Remodeled Vista

Portland, Ore.—The Vista Theater, formerly known as the State, has been opened at 21st Ave. and Hoyt St.

The house has been completely renovated and equipped with new decorations, new light, new sound, new projection equipment and new seats.

Arthur G. Jones and Lewis D. Boyd are operators of the Vista. Jones is well known among theater operators, and Boyd comes from Montana, where he managed a chain of theaters.

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Alabama City Misses-Out On Movie House By The Very Narrow Margin Of 12-in. Strip

Dothan, Ala.—In neglecting to give the Martin-Davis Theater Co. option on a 12-ft. strip of land off the courthouse property, the Houston County Board of Commissioners lost to the city a \$100,000 theater which the company proposed to build here. The Martin-Davis interests, planning one such theater for its circuit in 1941, had selected Dothan as a suitable location. An option of \$7,200, twice the real value of the strip according to the theater company, was offered, and no subsidy asked.

Beck to Open Chicago's New Loop House in Jan.

Chicago—This city's new newsreel theater, christened Today (that's its name), will open about mid-January at Dearborn and Madison Sts., according to its owner, Richard Beck. It will seat 325 and run hour-long programs.

House was designed by David Chapman, industrial designer, in co-operation with Loewenberg & Loewenberg, architects.

Personnel of Today, from doorgirl to usherettes, will be feminine. Each girl hired will be under a year's contract at better than average wages.

Seats for the new theater are so arranged that patrons will have plenty of room. Rows will be wider than any other house in the country, and seats and chair side-arms will be of air foam rubber. Last five rows will be terraced with ample space for passing. Seats will be the slide-back type.

Fluorescent lighting will be extensively employed on the exterior, and so-called "black light" will be an auditorium feature.

U. S. Theater Nearly Ready

Brownwood, Tex.—Camp Bowie's theater, which will seat 2,076 soldiers is rapidly nearing completion. The walls and projection booth are constructed of wood and the top of canvas and supported by 50-foot poles and timbered framework. Lieutenant C. L. Dickinson, Quartermaster Corps Reserve, has been assigned to duty as Camp Bowie theater officer.

Dallas Drive-Ins Started

Construction has started on two drive-in theaters in Dallas, with the opening planned by March 14. They are being built by W. G. Underwood and C. C. Ezell, Texas distributors for Republic Pictures. One will be located in the West part of the city and the other in the North part. Cost of the two drive-ins is estimated at around \$100,000. Similar theaters will be erected in Waco, Ft. Worth and San Antonio.

Allow Crescent Improvements

Little Rock, Ark.—A permit for remodeling of the Crescent Theater at a cost of \$6,000 has been issued at the city's engineer's office.

Bressler to Build

Dayton, Ky.—A. Bressler, operator of the Liberty, will construct a new 800-seat theater here.

Ruby Fills Navy Order; Notes Foreign Demand

Edward Ruby, of Ruby Camera Exchange, Inc., of New York, discloses that recently his company furnished six 35 mm. sound-on-film projectors to the U. S. Navy, which machines were installed in Naval Training points in the U. S., and that Holmes Ball Bearing Educators were furnished in each instance.

He said that orders have been received and filled from Rio de Janeiro for lab equipment. Further, the company furnished to Japanese Newsreel a number of items including sound recording cameras, lenses from one to 32 inches for ground and aerial work, recording amplifiers for underwater work, and various other equipment essential to newsreel operation in combat areas. Two movielas were shipped to the Union of South Africa.

Ruby asserts that the influx of foreign orders demonstrates the rising interest of business and official channels overseas in utilizing American film equipment.

Tremont Unveils Lobby

Boston—The handsome new lobby of the Tremont Theater has been formally opened to the public, marking a change which has brought a bit of nostalgia to old-timers of the theater world for, ornate as it is, the new lobby means the passing of the famous old lobby of the Tremont which had housed so many legitimate stars in the heyday of its popularity as a Klaw & Erlanger house.

Rists Sell Capitol Bldg.

Ashland, Ky.—Purchase of the Capitol Theater Building, housing the city's oldest operating show house, was announced by Dr. M. D. Garred. The building, which brought over \$50,000, will be remodeled and will continue under present management. It was purchased from John and Charles Rist, Ironton, O., and Catlettsburg, Ky.

Majestic to Mrs. Buckwalter

Quitman, Miss.—Louise Buckwalter, wife of Altec service man, H. C. Buckwalter, took over the Majestic Theater here from Max Connitt, with the deal calling for immediate operation.

Fresh Hues For Fairfax

Fairfax, Ala.—Fairfax Theater, via a painting and decorating job, is all dressed up in rose and blue on the inside and white on the outside.

S.O.S. Names Agent For Central Amer.

W. R. Grace & Co., exporters, who have become increasingly active in the film equipment field recently, have been appointed exclusive distributors of the S.O.S. Cinema Supply Corp.'s line of projection apparatus in several Central American countries.

A number of equipments have already been shipped, including the new models of S.O.S. Superior Eagle 35 mm. theater projectors, which will be combined by W. R. Grace & Co. with RCA Photophone Sound Reproducers, also distributed by them.

"This new arrangement is of special significance," states Arthur Arce, S.O.S. vice-president, "for it welds one of the pioneer projection machines with that of the pioneer sound equipment, sponsored by an export house of unquestionable standing."

S.O.S. also announced completion of projection and sound jobs for the Northfield Schools, Northfield, Mass., and the Southwestern State Hospital, Marion, Va.

Quartette of Outlets Are Mid-West Equipped

Cincinnati — Mid-West Theater Supply Co.'s offices here report sales of RCA sound to S. Leeds of Winchester Amusement Co. for circuit's Grand in Frankfort, Ky., and to the Walters-operated Palace, Huntington, W. Va. Latter house also ordered Brenkert projectors and Enarc lamps.

International chairs were furnished by Mid-West to B. Fiala's Alhambra, Dayton, Ohio, and to W. Miles' Garden in Columbus.

Former Carrier Plant Sold

The Carrier Corp., builders of air conditioning equipment used extensively by motion picture theaters and studios, as well as laboratories, has sold its vacant plant at Allentown, Pa., to the American Armament Corp., makers of artillery, machine guns and aerial bomb and anti-aircraft gun parts. Selling price and terms of the deal were not disclosed.

Dunn House Under Way

Ashford, Ala.—Construction has begun on a new theater building here for Ellison Dunn of Donaldsonville, Ga. W. H. Herrington & Son, contractors, State Building, will cost approximately \$12,000, and will be completed Jan. 10.

Meyer-Schwartz Equip

Winchester, Ky.—George B. Meyer and Harry Schwartz' new Clark Theater here has been equipped with Irwin chairs, Alexander Smith carpet, Peerless lamps, a Simplex projector and a Walker screen, purchased from National Theater Supply Co., Cincinnati.

NTS Atlanta Branch Lists Recent Sales

Atlanta—National Theater Supply Co.'s branch here reports that Irwin chairs, Simplex projectors, Peerless lamps, Alexander Smith's Crestwood carpet and National rectifiers have been installed in the Arcade, Carrollton, Ga., and that the Florida Theater in West Palm Beach, Fla., has received Simplex E-7s.

Other recent orders include Peerless Magnarcs and Hertner transverter to the Arcade in West Palm Beach; Simplex High lamps and Hertner transverter for the Ritz, Sarasota, Fla.; Super-Simplex projectors and Hertner transverter for the Florida, also in Sarasota; Peerless Magnarcs lamps and Hertner transverter for R. E. Martin's Ritz, Talladega, Ala.; Sirocco ventilating equipment for C. W. Wade's Wadsonian in Maplesville, Ala.; Simplex High lamps and Simplex rectifiers for R. H. Dunn's Camilla, Camilla, Ga.; and Simplex High lamps and Hertner transverter for the Gortakowsky Bros., Liberty, Liberty, Ga.

Internat'l Accenting Nine Current Models

Union City, Ind.—International Seat Corp. is currently focusing sharp trade attention on nine of the chairs in company's line.

Special emphasis is being given to the No. 60 Challenger Chair, with Veener back and spring edge cushion; the No. 160 Challenger with inserted back panel and spring edge cushion; and the other seven, namely, Nos. 201, 401, 350, 301, 501, 650, and the custom built model with all rubber back, cushions and arm rests,—all of which have individual attributes commending them to highly successful theater use.

Vernon In Full Swing

Washington — Louis Bernheimer has opened another in his circuit. It is the Vernon Theater, in Alexandria, Va. The new house is under the management of Stanley Barlip, formerly assistant manager at Loew's Palace in Washington. The Vernon has a seating capacity of 900 and was designed by Architect John Zink.

WB Sets Xmas Openings

South Manchester, Conn.—Warner's will reopen the State here and the Rialto, South Norwalk, on Christmas Day after extensive renovation in both houses. State opens with "Tin Pan Alley" and "Charter Pilot," while the Rialto has "I'm Still Alive" and "Fargo Kid."

Form Equipment Firm

Chicago—The Busch Optical Manufacturing Co. has been organized by F. Smith, D. Newman and V. Goetz with offices at 29 S. LaSalle St. to distribute film equipment and photographic supplies.

Yep, It's a World Of Sharp Contrasts— But It All Adds-Up To Biz Prosperity!

Piedmont, Ala.—An equipment job has been completed here which is as proportionately important to the community as a major remodeling job would be to New York's gigantic Radio City Music Hall, the world's most famous film house. The local Princess Theater has installed a modern hot air heating plant, replacing the house's little old stove.

New Type Flashed Glass Is Announced by Wagner

(Continued from Page 1)

a clear crystal glass, whereas other flashed glasses have been opaque glass flashed onto crystal and this opaque glass has been about 10/1000th of an inch thick, but, with a translucent glass the Wagner organization is able to flash about 40/1000th of an inch thick, which will effect a marked advance when used for attraction board purposes, Wagner states.

This new glass, he asserts, will revolutionize the marquee flashed glass industry as it is almost 40 per cent more efficient than the best flashed glass obtainable in this country. This means, he adds, that, with the new glass, film houses can either reduce wattage this amount or have a much better looking sign.

Policy of sealing the new glass will be to deliver it only with Wagner letters or to users of Wagner letters. A limited quantity is currently available at a very nominal price as compared to other flashed glasses, he declares.

M & N Reconstruct Oliver

Detroit—Oliver Theater, recently taken over by the Moule & Newman Circuit, has been completely rebuilt to the walls at a cost estimated at around \$10,000 for this small neighborhood house. Practically all theater equipment was furnished by National Theater Supply Co. Ernest Kessler, a newcomer to show business, has been named house manager.

To Remodel Rialto

Kingsport, Tenn.—Charles Burns, manager, announces plans for the immediate remodeling of the Rialto. An additional 30 feet in length will add 140 to the seating capacity. Improvements will include a new front, new stage, and complete interior redecoration. The theater's policy of second-runs on Monday and Tuesday and first-runs the rest of the week will be continued.

LIBERMAN

FLAG AND VALANCE CO.

71 FIFTH AVENUE, NEW YORK, N. Y.

646 N. Michigan Ave., Chicago, Illinois
8954 Gibson Street, Los Angeles, Calif.

G-E Receives Biggest Fluorescent Lamp Order

(Continued from Page 1)

new plant being constructed for production of Rolls-Royce warplane engines.

The order is the largest ever placed with G-E for fluorescent lamps, and includes 11,640 of the 100-watt, 60-inch long fluorescents. Total wattage of the lamps for lighting these two buildings amounts to 1,316,680 watts.

Keeler's Second Stand Now Open In Michigan

Kalkaska, Mich.—A new modern theater has been opened here by O. W. Keeler, former Bay City resident and owner of a theater there.

The house is equipped with the latest improved equipment for sound in RCA High Fidelity systems, with Simplex projectors. Seating capacity of the theater is 250.

Motiograph's Biz Continues to Grow

(Continued from Page 1)

are those for the Luciani Theater, Memphis; Wallack Theater, New York; Rialto, Champaign, Ill.; Log Cabin, Oklahoma City, Okla.; State Hospital Auditorium, Morgantown, N. C.; Rex, Sumter, N. C.; and the Mexico, Mexico, N. Y.

Motiograph Projection Equipment has been placed in the Air Newsreel Theater, New York; New Central, Ely, Nev.; Pal Amusement Co., Savannah; Strand, Marengo, Ia.; Glen-coe, Chicago; Palace, Louisville; Carolina, Orangeburg, S. C.; Trinity, Dallas; and Rialto, St. Joseph, Mo.

Installations of Mirrophonic De Luxe Sound include the Charles Theater, La Plata, Md.; West End, New York; Idle Hour, Belle Haven, Va.; Majestic, Seymour, Ind.; Ideal, Emmett, Ida.; Colfax, Schuyler, Neb.; Avenue, Omaha; Esquire, San Francisco; Arbor, Omaha; and the Bailey, Wilmington, N. C.

Prewitt and Royal Building

New Orleans—W. A. Prewitt, Jr., and A. L. Royal, operators of several houses in this area, are building a new theater in Meridian, Miss.



"MAYBE I'D BETTER THINK THAT OVER!"

There's no percentage in *being uncertain* about any phase of your business. How can you be *certain* whether the equipment in your projection room is functioning at its highest possible efficiency? About that, you never need to

be in doubt again. An Altec sound service agreement and an Altec booth parts agreement bring you the knowledge that your equipment is operating at its best, *not part* of the time, but *all* of the time. Change to Altec today!

ALTEC

SERVICE CORPORATION

250 West 57th Street, New York City

CHANGE TO ALTEC SERVICE • A CHANGE FOR THE BETTER

PROSCENIUM CHATTER

BUTTERFIELD CIRCUIT will name its new 900-seater in Battle Creek, Mich., the Michigan. House is to be ready for opening early in May to service the needs of the Army's expanded cantonment at nearby Camp Custer.

Indianapolis reports that Ross Young, formerly with National Theater Supply in New York, has succeeded Bil Feichner, who has accepted post as junior engineer with the Servell Corp., Evansville, Ind.—at the Indianapolis branch office.

Jack Moss of De Vry Projection distributors, Detroit, reports installation of new lenses in the Home and King Theaters for the J. B. Krul Circuit.

S. M. Meltzer has taken over the Ambassador Theater in Chicago and will remodel the house. He also controls the Rivoli.

Horace Evans has been named Minneapolis representative for the Droll Theater Supply Co. of Chicago, and, speaking of that org., the demand for Droll processed carbons is heavy, with result that company is working overtime to supply the trade, according to Sales Manager Walt Naylor.

Lobby and interior of the Majestic, Boston, long a legit. house, will be entirely remodeled and renovated in preparation for its use as a roadshow stand for pix, plus the expectation that it may be impressed into service as a first-run outlet later on. Theater is owned by the Taylor Estate and was for several years leased by the Shuberts, later by M & P.

A sales drive will get under way shortly to secure film theater installations for the Hammond Instrument Co.'s Solovox, which adds band instrument effects to pianos, it's stated by F. H. Redmond, general manager.

M. A. Kopstein, E. C. Larson and Barre Blumenbal have organized the State Camera Co. out in Chi. It'll deal in cameras and various types of film equipment.

The Brothers Allen, Russ and Harry, have taken over the burned Aztec in Aztec, N. M., and are planning an early reopening.

Mayor John V. Robinson has just taken over the Old Fort Theater in Old Fort, N. C. The Skouras boys ought to send Mayor John over to Albania. Any guy who can take the Old Fort single-handed!

R. B. Lord, lab superintendent of Eppi's Hollywood plant, has reported to San Luis Obispo cantonment for duty with the Signal Corps. A First Lieutenant in that branch of the service's Reserve, R. B. is one of the first of the Coast's soldiery to be called for national defense. A swell surprise luncheon was tendered him by his Eppi associates before his departure northward.

Motigraph Fills Contract With U. S. Navy For De Luxe Sound At Key West, Fla., Base

Chicago—Completion of installation of Motigraph's Microphonic De Luxe Sound Systems in the Naval Base at Key West, Fla., signaled another step in the commercial relations of the Navy and the organization headed by Fred C. Matthews. Within the last few months, Motigraph equipment has gone into the U.S.S. Reina Mercedes at Annapolis, Md.; the Brooklyn Navy Yard and the Naval Hospital there; the Post Theater, Shafter, T. H.; U. S. Naval Air Station, Norfolk, Va.; and in the U. S. Navy Yard, Mare Island, Calif.

Inter-Mountain Reports Demand for Brenkert's

Salt Lake City—Brenkert projectors have been included in all the principal orders recently filled by Inter-Mountain Theater Supply Co., it is pointed out by organization's local headquarters.

The Brenkert equipment has gone into Andy Floor's Lake Theater here; C. Hawk's Towne in Ephraim, Utah, and his Rex in Caliente, Nev.; John Miller's Cameo, American Fork, Utah; and C. E. Huish's Hunter, Elko, Nev.

International chairs were also supplied to Andy Floor's Lake and C. Hawk's Rex, with the latter house also getting an RCA screen.

Carnasion Commences Project

Starke, Fla.—Work has been started on the new 700-seat theater by W. N. Carnasion, of Frostproof. The new theater will be 60 by 105 feet, with latest type sound equipment, and will cost in the neighborhood of \$35,000. This theater will take the place of the one originally planned by Carnasion and which was to be the remodeled old post office building.

K & G Revamp Redford

Detroit—Komer & Goldberg Circuit here have just completed thorough revamping of the Redford Theater at an estimated cost of \$20,000. New front, lobby, and restrooms were put in by Ernest Artt, contractor. National Theater Supply installed Simplex E-7 projectors and Walker Screen.

Burkinshaw Re-Equips Iris

Midvale, Utah—Spencer Burkinshaw is installing new sound equipment and seats in his Iris Theater here, as well as enlarging the stage and effecting other improvements. House was formerly owned by Mel Stringham.

Purchases Walker Screen

Franklin, Ind.—The Indiana Masonic Home has installed a new Walker Metallic Molded sound screen.

Hart Improves Screen Image

Auburn, Ind.—Hobart Hart has purchased a new Walker Molded Silver screen for his Court Theater.

Rembusch Buys Gold Seal

Elwood, Ind.—The Elwood Theater, one of the Rembusch circuit theaters, has a new three-unit Gold Seal ticket machine.

Loew's, Inc., Will Launch American Theater Dec. 26

(Continued from Page 1)

and 600 in the balcony and loges, is characterized by observers competent to appraise its merits as the outstanding film theater of its type ever to be erected. It is the composite creation of the Metropolitan Life Insurance Co.; Starrett Bros. and Eken; Board of Design; the construction department to Loew's, Inc., whose head is Harry Moskowitz; and the consultant architects, John and Drew Eberson.

This film palace is the first to be opened in New York City under the Loew banner since the Post Road was launched several years ago.

Cameo Makes Bow

Orlando, Fla.—The Cameo, Orlando's first neighborhood theater, has been opened nine weeks after construction started. The theater represents an investment of \$60,000, and is a 412-seat house. The theater was designed by Roy A. Benjamin, Sr., Jacksonville architect, and is a unit of the Sparks chain. Ralph Saunders is the manager.

Deckman Branches Out

Willoughby, O.—Charles G. Deckman, co-owner of the Willoby Theater here, has announced plans for the construction at the west end of the corporate limits of a new recreation building to cost approximately \$100,000 and to include among other features 12 bowling alleys. Contract for the project has been awarded.

Hoesel Takes Over Theater

Culver, Ind.—E. B. Hoesel, widely known in theater circles in Indiana, is now operating the Palms Theater here. For a short period the house was running under the name of El Rancho. The new owner has adopted the original name Palms.

Zell Announces Re-opening

Spokane, Wash.—After a four-month shutdown the New Rex Theater has reopened, according to W. R. Zell, manager. Since the theater closed June 1, there has been added a new front and new decorations inside and out.

Majestic Is Modernized

Green Forest, Ark.—The Majestic has installed a new heating system. A new screen and stage have also been installed.

EQUIPMENT FIELD NOTES

IT'S going to be a gay (as well as busy) New Year's Eve for N. A. Malanos, Pennsylvania exhib. On that festive night he will open his new 600-seater in East Pittsburgh, and it looks as though the house would be ready to debut.

Charley and Reginald Morse are planning several improvements to their Kenmore in Boston. Among other items, the boys are installing bearing-aid, and negotiations are also under way to provide additional parking space for patrons.

Three of the Sparks houses in Florida, the Fairfax and Pearl in Jacksonville, and the Florida in Tallahassee, are catering to the oral sensibilities of the onrushing tourists with spanking new RCA sound.

While on the subject of sound, there's one gent who shows proper appreciation of said equipment,—and that's Vince Hoven who runs the H & H Theater in Bowdle, S. D. Vince, before having it installed, put it on display in the lobby of the house so folks could see what they were going to hear.

The G-E boys up in Schenectady have a li'l job that's going to take them three years to build: the electrical equipment to operate the University of California's new 100,000,000-volt cyclotron (atom smasher). The equipment would fit rather neatly in the space of a two-story house.

The Taylor Theater in Taylorsville, Ky., is being remodeled and re-equipped by Charley Bowles who'll open it in the near future. The house was partly destroyed by fire last Spring.

Mrs. J. P. Griffith, who recently acquired the Dreamland in Fowler, Ind., has installed a new Da-Lite screen, two rectifiers and a pair of projection lamps.

C. A. MacDonald, Columbus, O., circuit owner, is confined to his home by illness, and so the opening of his new Boulevard in that city has been postponed.

Out of Chicago comes word that the Federal Fluorescent Corp. has been organized by Maurice A. Ginsberg, Mayer A. Woolfson and Edward A. Ginsberg to distribute fluorescent signs to the theater trade.

Latest echo from the Echo in Baltimore is that Bill Myers is giving his patrons a Christmas gift by installing new RCA Photophone sound.

Remember the reports (the news sort, we mean) of the Army's "flash bomb" technique developed by Dr. Walter (Eastman Kodak) Clark for night aerial photography; demonstrated in Rochester; and brought to you in a previous issue of your favorite equipment publication? Well, it has been adopted by the Canadian and British air forces.

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 122

NEW YORK, MONDAY, DECEMBER 23, 1940

TEN CENTS

U. S. CLARIFIES ADMISSION TAX ISSUES

U. S. Negro Theaters Increase to 401 During 1940

THE WEEK IN REVIEW Decree Attacks Continue

By L. H. MITCHELL

DOMESTIC

Consent Decree: Attacks on the consent decree in the Gov't's equity suit continue . . . Ed Kuykendall, MPTOA prexy, told Ohio Theater Owners there would be only trouble for exhibs, under the decree. Later he characterized it as "stupid, misnamed, unfair" before the Kansas-Missouri TO . . . Allied offered to be clearing house for squawks aroused by the decree . . . Mitchell Wolfson of Wometco Theaters called a meeting of exhibs, to discuss the decree for Dec. 31 in Miami . . . Abram F. Myers, Allied's general counsel, in a bulletin, advised exhibs, to avoid dissipation of product . . . Distribs. may lease theaters in what to tradeshow blocks of five . . . No industry reps. will be on the AAA directorate.

Ascap: Following Gov't hint early in the week that an Ascap-BMI consent decree was near, Gene Buck, Ascap prexy, issued a statement that negotiations with the Gov't were under way growing out of a monopoly suit filed against it in 1935, but that any consent decree that might be worked out and accepted would have no bearing whatever upon its dispute with the radio network . . . Warner music firms are checking on the strength of BMI. Later Warner Theater circuit heads, here advised that only Ascap music would be played at Warner theaters.

This and That: Second AID report indicated that one-third of needed product remains unsold. It also found that flat rentals were the same as last year . . . Geo. J. Schaefer, RKO prexy, said quality of pix, not their cost, would regulate rental terms. Company plans 40 features for next season . . . Survey shows 16 feature pix dealing with various branches of the U. S. service are planned . . . TNEC urged new anti-trust laws . . . Despite kicks at its plan to purchase

(Continued on Page 8)

Survey Shows Houses Now Operating in 12 States And District of Columbia

Theaters catering to Negro patronage total 401 and are located in 26 states and the District of Columbia, it is revealed in a survey recently completed for THE FILM DAILY Year Book. Checkup shows an increase of 12 houses since a Department of Commerce list showed 389 houses in June, 1939.

States and the number of Negro
(Continued on Page 4)

Mass. Industry Will Escape "Anti" Bills

Boston — Unless the unforeseen happens, the forthcoming session of the Massachusetts General Court—legislature to you—will be the freest from attempted anti-amusement legislation in many years. Men and women who represent the film interests, the outdoor amusements and the legitimate theaters are all breath-

(Continued on Page 5)

Equity-Dramatists Guild Co-op for Tryout Theater

Joint plan of Actors Equity and the Dramatists Guild for establishment in New York of the National Experimental Theater provides that

(Continued on Page 5)

Frown on Raised Admissions

W. Pa. Indies Stick to Established Prices

New Jersey Allied Units Meet in Trenton Jan. 21

A general meeting of the northern and southern units of New Jersey Allied has been set for Jan. 21 at the Stacy-Trent Hotel, Trenton. Individual unit meetings will be held by the South Jersey group at the Broadwood Hotel, Philadelphia, on Jan. 6 and by the North Jersey members at their New York headquarters on Jan. 9.

Arthur Loew Gives Bonus to Employees

All members of Loew's foreign department receiving less than \$100 a week were presented with a gift of one week's salary by Arthur Loew, vice-president and head of the foreign department. This gift, as in past years, is a personal one—is given in addition to the company bonus of two weeks' salary to those receiving less than \$40 a week.

Suspend Cuban Law For Three Months

Havana (By Cable)—Anti-block-booking decree will be suspended for three months as of Jan. 1, date it becomes effective, with the distributors and exhibitors to use the period for negotiation in an effort to arrive at some basis of modification or amendment. Decree in its present form has been rejected by

(Continued on Page 5)

Industry Luncheon Will Climax Jewish Campaign

Leaders in the amusement industry met for luncheon Friday at the Hotel Astor, and reported on the progress of their effort to raise

(Continued on Page 5)

Defines Adult Admission, Application of Tax to Ticket Books, Students

Further clarification of the admission tax issues by the Treasury Dept. has been sent to Allied of New Jersey upon the request of the unit. Definition of an adult admission, application of the tax to ticket books and so-called student tickets are provided in the Treasury Dept.'s explanation.

Questions submitted to the Government and the answers received are presented herewith for the enlightenment of all exhibitors:

QUESTION: Is anyone under the age of 12 considered a child admission as

(Continued on Page 5)

Single U. S. Distrib. Operating in Norway

Washington Bureau of THE FILM DAILY

Washington—Indications are that Norway's film industry is planning to expand appreciably its production and thereby take advantage of the abnormal situation now existing in the home market, Nathan Golden, chief of the Commerce Department's Motion Picture Division, reports. Norwegian studios have completed five pictures during the current year and it is anticipated that this num-

(Continued on Page 4)

Nat'l Screen Studying Commercial Pix Field

National Screen Service has been exploring the industrial motion picture field with the view of becoming distributors of commercial product. No decision or plan has been adopted, but it is known in advertising agency circles that NSS has

(Continued on Page 5)

Oh, Mister Ripley—!

A Long Island theater marquee advertised at the week-end:
"Honeymoon Deferred"
"One Crowded Night"

(Continued on Page 4)

THE Film DAILY

ALL THE NEWS
ALL THE TIME

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CHESTER B. BAHN : : : Editor

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FINANCIAL

(QUOTATIONS OF FRIDAY, DEC. 20)
NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Seat.	7 3/4	7 3/4	7 3/4	- 1/2
Col. Picts. vtc. (2 1/2%)				
Columbia Picts. pfd.				-1-16
Ccn. Fm. Ind. pfd.	7 1/2	7 1/2	7 1/2	+ 3/4
East. Kodak	132	130 1/2	131 3/4	+ 1 3/4
do pfd.				
Gen. Th. Eq.	12	11 1/2	12	+ 1/4
Leew's, Inc.	31 1/2	31 1/2	31 1/2	
do pfd.				
Paramount	10 5/8	10 1/2	10 1/2	
Para. 1st pfd.				
Para. 2nd pfd.	10 7/8	10 3/4	10 3/4	
Pathe Film	9 5/8	9 5/8	9 5/8	- 1/8
RKO	3 1/2	3 1/2	3 1/2	
RKO \$5 pfd.	42	42	42	
20th Century-Fox	6	6	6	
20th Century-Fox pfd.				
Univ. Pict. pfd.	11 1/2	11	11	
Warner Bros.	3 1/4	3 1/4	3 1/4	- 1/8
do pfd.	54	54	54	

NEW YORK BOND MARKET

Keith B. F. ref. 6546				
Leew's deb. 3 1/2% 104 1/2	104 1/2	104 1/2	104 1/2	- 3/8
Para. B way 3655	51 7/8	51 7/8	51 7/8	
Para. Picts. cv. 3 1/2% 95 1/2	95 1/2	95 1/2	95 1/2	- 1/2
Warner Bros. db. 6548 95 1/2	95 1/2	95 1/2	95 1/2	

NEW YORK CURB MARKET

Monogram Picts.	1 3/4	1 3/4	1 3/4	
Sonotone Corp.	8 1/2	8 1/2	8 1/2	+ 1/8
Technicolor	8 1/2	8 1/2	8 1/2	+ 1/8
Trans-Lux	7 1/2	7 1/2	7 1/2	- 1/16
Universal Corp. vtc.	5 1/2	5 1/2	5 1/2	
Universal Picts.	5 1/2	5 1/2	5 1/2	

Same Stage and Film Show In Two Spots

Detroit—"Second Chorus," booked for the Michigan Theater, will be "bicycled" between this house and the Palms-State for a special New Year's Eve midnight show at both houses. Both picture and stage show—latter headed by Rosemary Lane—will play both theaters.

John French Dead

Toronto—John McClean French, 76, author and screen and radio writer, died here.

The Broadway Parade

Picture and Distributor	Theater
Love Thy Neighbor (Paramount Pictures)—2nd week	Paramount
No, No, Nanette (RKO Radio Pictures-Wilcox)	Music Hall
Santa Fe Trail (Warner Bros. Pictures)	Strand
Dr. Kildare's Crisis (Metro-Goldwyn-Mayer Pictures)	Capitol
One Night in the Tropics (Universal Pictures)	Roxy
Victory (Paramount Pictures)	Rivoli
Hullabaloo (Metro-Goldwyn-Mayer Pictures)	Criterion
Here Comes the Navy (Warner Bros. Pictures) (d)	Globe
Ellery Queen, Master Detective (Columbia Pictures)	Rialto
Wild Horse Range (Monogram Pictures) (a)	Central
Sensation (Film Alliance of the U. S.) (a)	Palace
South of Suez (Warner Bros. Pictures) (a)	Palace
Michael Shayne, Private Detective (20th Century-Fox) (a)	Little Carnegie
It's in the Air (United Artists-Dean)—2nd week	

♦ TWO-A-DAY RUN ♦

The Great Dictator (United Artists-Chaplin)—11th week	Astor
Fantasia (Walt Disney Productions)—6th week	Broadway

♦ FOREIGN LANGUAGE FEATURES ♦

The Baker's Wife (The Baker's Wife Co.)—43rd week	World
They Met on Skis (Carl Laemmle, Jr.)	55th St. Playhouse
The Mannerheim Line (Artkino Pictures)	Miami Playhouse
The Living Dead (J. H. Hoffberg Co.)—2nd week	Bryant

♦ FUTURE OPENINGS ♦

Comrade X (Metro-Goldwyn-Mayer Pictures)—Dec. 25	Capitol
Little Nellie Kelly (Metro-Goldwyn-Mayer Pictures)—Dec. 25	Criterion
Estasy (Samuel Cummins)—Dec. 25	Ambassador
Chad Hanna (Twentieth Century-Fox)—Dec. 25	Roxey
San Francisco Docks (Universal Pictures)—Dec. 25	Rialto
Second Chorus (Paramount Pictures-Morris)—Dec. 25	Paramount
Four Mothers (Warner Bros. Pictures)—Jan. 10	Strand
Kitty Foyle (RKO Radio Pictures) (c)	Rivoli
The Philadelphia Story (Metro-Goldwyn-Mayer Pictures)—Dec. 26	Music Hall
Night Train (Twentieth Century-Fox)—Dec. 28	Globe
Larceny Street (Film Alliance of the U. S.)—Dec. 25 (a)	Central
Tin Pan Alley (Twentieth Century-Fox)—Dec. 24 (a-b)	Palace
Romance of the Rio Grande (Twentieth Century-Fox)—Dec. 24 (a)	Palace
Hotel du Nord (Juno Films)—Dec. 30	Little Carnegie

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Re-issue.

Burtus Bishop, Jr., Will Be Feted at Testimonial

Pittsburgh — The local Variety Club, in conjunction with his host of exhibitor friends throughout the territory, will sponsor a testimonial dinner in honor of Burtus Bishop, Jr., M-G-M branch manager, who was recently promoted to district manager for that company in the Mid-West. Affair will take place in the Urban Room of the William Penn Hotel on Jan. 6.

M. N. Shapiro is general chairman of the banquet committee, and C. J. Latta, retiring chief Barker of the local club, has been appointed toastmaster. Bishop was elected first assistant chief Barker of the club for 1940 but due to leaving the territory a substitute will be elected at the next board meeting.

A number of home office executives are expected to attend this banquet.

450 Christmas Openings For "Santa Fe Trail"

Warners' "Santa Fe Trail" will start in over 450 houses during Christmas week, it was learned over the week-end.

Feature opened its New York engagement at the New York Strand on Friday where Warners reported it is playing to the largest pre-holiday crowds in the history of the Broadway house.

Flu, Diphtheria Hit Biz In Eastern Canada Spots

St. John, N. B.—Eastern exhibitors in the provinces, have been contending not only with the usual pre-Christmas slump, but with epidemics that keep potential customers completely out of circulation. The flu is cutting a wide swath in Eastern Canada, keeping its victims on the shelf for from three days to a week or 10 days. Most of the theaters are working short handed due to flu inroads in the staffs.

Diphtheria has been epidemic also and while not up to the flu volume, dangerous and long staying. Hospitals have banned visitors and some schools shut down before the normal date for the Yule holidays.

"Quiz Kids" Radio Show Set for Para. Shorts

Radio's "Quiz Kids" program will be transferred to the screen via a Paramount deal closed Friday with Louis Cowan, producer of the broadcast. One-reelers will be made at the Astoria studios and the first release is scheduled for early in 1941. "Quiz Kids" are heard Wednesday evening over the NBC network.

Head Chi Greek Drive

Chicago—Harry Reckas and John Manta, Chicago theater owners, head the Chicago organization for Greek war relief activities.

COMING and GOING

SIDNEY R. KENT returns today from the Coast.

CARL E. MILLIKEN, secretary of the MPPDA, and MRS. MILLIKEN, sailed Saturday on the America for a two-week cruise in the Caribbean.

JOSEPH I. BREEN and MRS. BREEN are here from the Coast.

ROGER MARCHETTI was due here from the Coast over the week-end.

ABE LASTFOGEL and his wife arrived here Saturday from Hollywood.

GRETA GARBO is expected to come here from the Coast to spend the holidays.

ERIC von STROHEIM, who is paying New York a visit, is looking for a producer for his play, "Air Raid Shelter."

MAURICE BAILEY, operator of the Whalley, Westville and the Whitney, New Haven, will go to New Orleans for the holidays.

Full Ampa Membership For Gals, Trade Newsmen

Ampa, meeting Friday, ratified amendments to the constitution which confer active membership on trade paper reps. and extend full voting privileges to women members. Later's dues are raised from \$5 to \$10.

The annual meeting of the association is now set as the last Thursday in April, at which time elections are held. Not later than March 1 the members must elect a nominating committee.

Discussion was held regarding a 25th Anniversary Dinner Dance which is to be held in the grand ballroom of the Hotel Edison on Friday evening, April 4. Affair will be a benefit for the new Ampa Welfare and Relief Fund. Further discussion will be held on this at the next board of directors' meeting on Monday, Jan. 6.

Next Ampa open meeting will be on Jan. 9, with Barney Balaban, Paramount president, as guest speaker.

Equity Holds Quarterly Meet

Quarterly membership meeting of Equity was held Friday at the Astor with councilman Robert T. Haines presiding in place of Bert Lytell, prexy, who is rehearsing with a show.



Leon Lee L. Strampfer

From
THE FILM
DAILY to
DEC. 23
John Cromwell
James Roosevelt
Herman Pincus
P. D. Cochrane

THERE ARE **353** VERY MERRY CHRISTMASSES THIS YEAR! *



* That's the number of happy exhibitors who have day-and-dated Paramount's "LOVE THY NEIGHBOR" and are treating their customers to the biggest laugh hit ever filmed!

"Sure-fire grosser packed with laughs. A natural for all stands!"

—Film Daily

"A real treat. Fans should provide an enormous ready-made audience!"

—M. P. Daily

Jack BENNY · Fred ALLEN
"LOVE THY NEIGHBOR"
with **MARY MARTIN · Verree Teasdale** and **ROCHESTER**

Original Screen Play by William Morrow and Edmund Beloin, Ernest Pagano and Z. Mervin · A Paramount Picture
Produced and Directed by MARK SANDRICH



Single U. S. Distrib. Operating in Norway

(Continued from Page 1)

ber will be materially increased during 1941.

Because of the lack of foreign exchange, severe restrictions have been placed on film imports, which cannot be made without the approval of the State bank. With the exception of product of a single distrib. practically no American pictures are now permitted to be shown in the country. During the first nine months of this year a total of 165 pictures were exhibited in Oslo, of which 78 were American and 82 German. In the similar period of 1939, out of a total of 235 pictures shown, 146 were American films and only 17 German. During 1941 it is probable that German studios will provide most of the films exhibited in Norway, with some pictures coming from Sweden and Denmark, Golden's report states.

Swedish Feature Production Up, But Shorts Total Slumps

Stockholm (By Air Mail)—For the 1941 fiscal year, the Swedish Motion Picture Co. produced eight features, an increase of two over 1939. Output of shorts, however, declined from 75 to 55 subjects.

Operating earnings declined by 210,000 to 980,000 crowns, while income from other sources, such as dividends, interest, and rentals dropped slightly to 290,000 crowns. The smaller profits are understood to be the result of higher costs of production and some loss in revenue from film rentals in foreign countries.

After deducting charges, depreciation and taxes totaling 690,000 crowns, net profits stood at 580,000 crowns, compared with 850,000 crowns the year before. Including undivided profits from previous years, an amount of 850,000 crowns was available for distribution, of which 550,000 crowns will be declared as dividends, the dividend on A shares being lowered from 7 to 5 per cent and on B shares from 9 to 8 per cent. The balance, 300,000 crowns, has been carried forward.

Rosenblatt With NSS, AA

Omaha—Max Rosenblatt, formerly with Capitol Pictures here, is now the Nebraska representative for National Screen Service and Advertising Accessories, replacing Mike Roth. Joe Foley, former exhib. at Waterloo, Ia., moves into Capitol Pictures as Iowa representative with headquarters at Des Moines.

740 Christmas Dates For Two Para. Films

Christmas bookings of NWMP and "Love Thy Neighbor" total 740, it was disclosed Friday by Neil F. Agnew, Para. sales chief. Former has 397, latter, 353. Pix are both nationally released Dec. 27.



• • • DID you ever stop to consider what a calamity 'twould be if the spirit of Christmas were to go into reverse—that it was celebrated in a predatory manner instead of with good-will and the kindness of giving one to another? Such a devotion would mean the death of joy—the demise of all those things which make the Yuletide season the greatest oasis of every year This disturbing thought came to your correspondent in the early hours of last Thursday morn. as he sat in the shadowy vastness of the Radio City Music Hall during the rehearsal of the stage presentation which is currently thrilling thousands of entertainment-seekers. Yes, if the spirit of Christmas went into reverse we would certainly not have the Music Hall's marvelous Christmas show.

• • • THIS year's Yule spectacle is fascinating to behold Even more so is it when prefaced by a witnessed rehearsal. for then is seen the creative brilliance which goes into the show's making. Almost unbelievable systemization and co-ordination prevail 'twixt performers, technicians, and the production staff in the rehearsal process. We watched Russell Markert spark plug it all with uncanny swiftness and precision flanked by W. G. Van Schmus, the Music Hall's ingenious managing director. Eugene Braun, illuminating wizard. Nat Karson, designer of the presentation. and Gus Eyssell, assistant managing director. The manner of composing and lighting the tableaux (there are three on either side of the auditorium's stage proper) the operation of the mechanical two-inch snowfall. and all the other elements which comprise the spectacle of "Christmas Eve—The Nativity". as well as "Season's Greetings," the gay revue section of the show featuring the Glee Club as singing snowmen. the Rockettes as dancing dolls. Santa Claus and his animated toys. and the Corps de Ballet as Mother Goose girls. You look at the present Music Hall Christmas show and realize that it is a paradox. Soon it will cease to be, yet will it remain permanent. for a thing of beauty is a joy forever.

• • • MORE than 3,000 Warner Club members, their children, grandchildren, brothers and sisters. packed the Brooklyn Vitaphone studio on Saturday afternoon. to participate in the club's Annual 'Xmas Kiddie Party. which, upon the authority of no less an authority than Ralph Budd, was the largest in Warner Club annals. One of the grandest aspects of the party. was the presence of a group of British refugee youngsters. spending their first Christmas in the United States. It was inspiring to see the presentation of the colors to the British children. by a troop of Brooklyn Boy Scouts. while the Midland Park (N. J.) Drum and Bugle Corps supplied the music. During the remainder of the afternoon's show the musical background was furnished by the Hebrew Orphan Asylum Band.

• • • AMONG the ace attractions at this year's Warner Club party. was Santa Claus's workshop. which displayed animated figures built in miniature. Moreover, there was a complete one-ring circus starring "Jumbo" the famous elephant featured in Billy Rose's show. plus Tony the Camel, the boxing kangaroo, clowns, trapeze artists, acrobats, trained ponies and horses. Much to the delight of all. was additionally staged a "Santa Fe" pageant with stage coaches, the Lone Ranger, Jr., cowboys, cowgirls and Indians. There were refreshments galore and all the youngsters received attractive gifts. You can't blame the kids for thinking that WB means "wonderful benefactors".

W. Pa. Indies Frown On Increased Prices

(Continued from Page 1)

lieve that our own local economic conditions warrant a permanent increase."

MPTO resolution says that the decision stems from the belief that "pictures not so increased are considered of lesser merit by the patrons; grosses prior to and following the run of such increased pictures are adversely affected, and because we believe that it is detrimental to the basic structure of the exhibition business, which by its very nature must be conducted on some set policy."

Negro Theaters Increase To 401 During 1940

(Continued from Page 1)

theaters in each are: Alabama, 14; Arkansas, 4; California, 8; Colorado, 1; District of Columbia, 13; Florida, 41; Georgia, 21; Illinois, 21; Indiana, 6; Kansas, 3; Kentucky, 4; Louisiana, 23; Maryland 17; Michigan, 18; Missouri, 13; Nebraska, 1; New Jersey, 11; New York, 38; North Carolina, 20; Ohio, 19; Oklahoma, 7; Pennsylvania, 20; South Carolina, 9; Tennessee, 14; Texas, 29; Virginia, 22; West Virginia, 4.

Film Alliance Closes Three New Franchises

Three new franchise holders have been set by Film Alliance of the U. S. Atlantic Pictures will handle Film Alliance product for the New Orleans territory. Jack Adams of Adams' Film Exchanges in Dallas, Oklahoma and Arkansas has been awarded franchises for those territories. Marcel Mekelburg of Northeastern Film Co. will release F. A. product for the Boston territory.

Deals were set by Sales Manager, Norman Elson, of Film Alliance who returned at the week-end from a three weeks' trip during which he also closed a deal with Tri-States Circuit of Iowa and Nebraska for the company's entire '40-41 product as well as numerous small deals in Kansas City territory. Esquire Theater, Toledo, has contracted to show Film Alliance product first-run.

WEDDING BELLS

West Coast Bureau of THE FILM DAILY
Hollywood—Engagement is announced of Olympe Bradna and Douglas Wood Willhoit.

Leonard Beier, of Warner Bros. home office publicity department, was married over the week-end to Lillian Kirschner of Highland Park, New Jersey.

Mass. Industry Will Escape "Anti" Bills

(Continued from Page 1)
ing easier than at this time a year ago.

Governor Leverett Saltonstall has emphatically and probably definitely put the quietus upon the attempt of Tax Commissioner Long to slap on a sales tax in Massachusetts and to add this and perhaps other taxes to the theater-going public and the exhibitors and theater owners.

One bit of state-wide legislation that probably will come into being will be the strengthening of the laws against Beano, Bingo or whatever games of chance may be called. Only legitimate quizzes and legitimate games of skill will be sanctioned, according to present plans.

Both houses of the General Court are controlled by the Republicans of which party all state officers with the exception of State Auditor, are also members. This naturally portends harmony in both legislative and administrative work during the next two years.

Nat'l Screen Studying Commercial Pix Field

(Continued from Page 1)
been approached with several propositions to handle the distribution of pictures produced for large manufacturing companies.

Interest in the field by NSS is indicated by the extensive investigation launched by the trailer company during the last year. All phases of the commercial side of the industry have been studied thoroughly and developments may be forthcoming next year.

Theaters Give \$30,000 To Chi. Community Fund

Chicago—Jack Kirsch, Illinois Allied prexy, reports the theater division collections for the Chicago Community Fund will reach \$30,000, against a quota of \$25,000, making the best showing since the Fund started here. Among leading contributors were: Balaban & Katz and employees, \$6,675; Essaness Theater circuit and employees, \$4,000; Warner Theaters, \$2,400; Whiteway Sign Service, Tom Flannery, and employees, \$1,000; Schoenstadt Theater circuit, \$1,000; H & E Balaban circuit, \$591; Jones, Linick & Schaefer circuit, \$300 and 20th Century-Fox, Chicago Exchange, \$327.

Theater and Police In 50-50 Division

Moncton, N. B.—Local police tied up with the Imperial here for a week-long benefit for the department's relief fund. House and cops split the net. 50-50. House is operated by Jack Butler, former St. John branch manager for Empire Films.

Clarify Admish Tax Issues Treasury Dept. Answers Exhibitor Queries

(Continued from Page 1)

Federal Admission Tax applies? Is anyone over the age of 12 considered an adult admission as Federal Admission Tax applies?

ANSWER: Section 1700 of the Code provides that in the case of persons (except bona fide employees, municipal officers on official business and children under 12 years of age) admitted free or at reduced rates to any place at a time when and under circumstances under which an admission charge is made to other persons an equivalent tax shall be collected, based on the price so charged to such other persons for the same or similar accommodations. Section 101.5 of Regulation 43 provides that a bona fide employee, a municipal officer on official business or a child under 12 years of age is not liable for any tax if admitted free, and if admitted at a reduced rate is liable for tax on the reduced price, provided such price is 21 cents or more.

QUESTION: Where tickets are sold in books of 19 tickets at 20c and are used individually, does the tax apply if such admission tickets are used where the adult admission price exceeds 20c.

ANSWER: It is held that where a book of 19 tickets is sold at a price of 20 cents for each ticket while the regular established price of a single admission is in excess of 20 cents, the tickets are sold at reduced rates and a tax must be collected equivalent to the tax on 19 single tickets of admission at the regular established price.

QUESTIONS: In the case where a theater reserves a certain section for student admissions, ages ranging 12 to 16 and the admission price is 20c or less, is the tax applicable provided other sections of the same floor charge an adult price in excess of 20c? Would the Admission Tax apply provided this reserved student section were not available to any admissions in the taxable class?

ANSWERS: Any person 12 years of age or

over admitted free or at a reduced rate is liable for tax equivalent to the tax on the regular established price of admission to other persons, that is, to adults for the same or similar accommodations. For example, if students (or other persons) from 12 to 16 years of age are admitted at a price less than the admission charge to persons over 16 years of age, the persons between the ages of 12 and 16 years are admitted at reduced rates and must pay a tax equivalent to the tax on the admission charge to persons over 16 years of age for the same or similar accommodations. The setting aside of a certain section for student admissions does not relieve the students from payment of the tax on reduced rate admissions unless the price for which the students are admitted represents the established price to all persons alike for admission to that section.

QUESTION: Where service passes are issued permitting a patron to enter for 10c which is a reduced admission from a price of 21c or over, does the tax apply?

ANSWER: Persons admitted on passes for a service charge of 10 cents at a time when the established price of admission to other persons is 21 cents or more are liable for tax based on the regular established price of admission to the other persons for the same or similar accommodations.

Suspend Cuban Law For Three Months

(Continued from Page 1)
the U. S. distributors who have suspended servicing of accounts.

It is expected that distributors will service the accounts on a three-month basis, making no commitments beyond that period unless some settlement of the matter is arrived at in the meantime. It has been also indicated that the distributors will reject the recent proposal that Cuban actors be employed in theaters at least three times a week. It is pointed out that there are not enough actors to meet the theaters' needs.

Rites Held In Capitol For William P. Herbst

Washington—Funeral services were held Saturday for William Parker Herbst, 72, dean of Washington showmen. Herbst entered the entertainment business in 1909 by organizing the Circle Amusement Co., of which he was president until the time of his death. The company operates the Circle Theater. Last July, the Variety Club gave him a testimonial luncheon. His wife and two children survive.



SPECTATOR AT HIS OWN FUNERAL

Cesar Romero, the Romeo of the rackets, views with distaste the decorations on casket the boys bought for him.

TALL, DARK and HANDSOME

zoth's natural!...loaded with laughs! thrills! tunes!



Winning 12 in each classification in order follow:

Actors: Clark Gable, Spencer Tracy, Mickey Rooney, Bing Crosby, Gary Cooper, James Stewart, Errol Flynn, James Cagney, Wallace Beery, Tyrone Power, Henry Fonda.

Actress: Bette Davis, Judy Garland, Myrna Loy, Claudette Colbert, Deanna Durbin, Alice Faye, Vivian Leigh, Jean Arthur, Ginger Rogers, Loretta Young, Rosalind Russell, Jeanette MacDonald.

Western Stars: Gene Autry, John Wayne, William Boyd, George O'Brien, Roy Rogers, Buck Jones, Smiley Burnette, Charles Starrett, John Mack Brown, Tim Holt, Tex Ritter, Ken Maynard.

★ ★ REVIEWS OF THE NEW FILMS ★ ★

"Kitty Foyle"

with Ginger Rogers, Dennis Morgan,
James Craig

RKO Radio 107 Mins.

(HOLLYWOOD PREVIEW)

EXCELLENT PACKAGE OF ENTERTAINMENT STRIKES FINE HUMAN NOTE AND SHOULD SCORE DECISIVELY AT THE BOX OFFICE.

Here is one of the most human pictures that has been produced in Hollywood in many, many months. And, in addition to its human, heart-warming quality, it has tender romance, (lots of it) and more legitimate laughs than are to be found in several pictures. Guiding this very excellent package of entertainment is Sam Wood's expert, sensitive direction. To David Hempstead goes important credit as producer.

The picture is also a triumph for Ginger Rogers, who gives a moving portrayal as a working girl who falls in love with a member of Philadelphia's "Main-Line" set. The member is stalwart Dennis Morgan, who gives an ingratiating performance. The opus should send Morgan's stock sky-rocketing. New-comer James Craig who also profits by his very pleasing work as a young interne, who also is in love with Ginger. Ernest Cossart is effective as Ginger's father, while Eduardo Ciannelli garners many laughs as an operator of a New York "speakeasy." Others who do good work are Mary Treen and Katharine Stevens, the latter is Sam Wood's daughter, as Ginger's roommates; Odette Myrtil, Gladys Cooper, Kay Linaker and Richard Nichols. Dalton Trumbo concocted an excellent screenplay, based on the novel by Christopher Morley. Donald Ogden Stewart furnished additional dialogue. Robert De Grasse's photography is high-grade.

Following their elopement, Ginger and Dennis go to Philadelphia to get the blessings of Dennis' stoggy relatives. Ginger learns that the said relatives want to send her to a finishing school to "polish off the rough edges." The "Main-Liners" also point out that Dennis must remain in Philadelphia in the family banking business or lose his inheritance. Knowing that she will never be happy with Dennis in Philadelphia, she walks out on him and his relatives and returns to New York.

Ginger secures a divorce from Dennis. In the meantime James Craig, the young interne, falls in love with her. Five years pass, and Craig and Dennis are still in love with her although Dennis has remarried and also has a youngster. Dennis wants her to run off with him to South America but at the last minute she decides to marry Craig.

CAST: Ginger Rogers, Dennis Morgan, James Craig, Eduardo Ciannelli, Ernest Cossart, Gladys Cooper, Odette Myrtil, Mary Treen, Katharine Stevens, Walter Kingsford, Cecil Cunningham, Nella Walker, Edward Fielding, Kay Linaker, Richard Nichols, Florence Bates.

CREDITS: Executive Producer, Harry E. Edington; Producer, David Hempstead; Director, Sam Wood; Author, Christopher Morley; Screenplay, Dalton Trumbo; Additional Dialogue, Donald Ogden Stewart; Cameraman, Robert De Grasse, ASC; Special Effects, Vernon L. Walker, ASC; Art Director, Van Nest Polglase; Associate, Mark Lee Kirk; Editor, Henry Berman; Musical Score, Roy Webb.

DIRECTION, Expert. PHOTOGRAPHY, Fine.

"Flight Command"

with Robert Taylor, Ruth Hussey,
Walter Pidgeon

Metro 110 Mins.

SOCKO ENTERTAINMENT WITH NAVAL AVIATION BACKGROUND SPELLS BANNER HARVEST AT THE BOX OFFICE.

Produced by M-G-M with J. Walter Ruben at the helm, and directed by the peerless Frank Borzage, "Flight Command" is one of the best of the "Service" yarns turned out of the Hollywood mill to date. The full support of the U. S. Navy was given the studio on this picture and it shows in some of the finest technical sequences ever filmed. Solid values in entertainment and in all departments of the film's manufacture, should result in a banner harvest at the box-office. Suspense, excitement, love, and all the other elements used in the formula are beautifully handled. Borzage's touch is apparent to those who know his work.

The cast, headed by Robert Taylor, Walter Pidgeon and Ruth Hussey, was well selected, each gives a true performance of the character they expound. Other members of the cast, Paul Kelly, Nat Pendleton, Sheppard Strudwick, Red Skelton, Dick Purcell and William Stelling, all play their parts in a finished manner. The screenplay by Wells Root and Commander Harvey Haislip, taken from an original by Haislip and John Sutherland, leaves nothing to be desired. A standout job is the photography of Harold Rosson and the special effects of Arnold Gillespie.

Robert Taylor, as Alan Drake, a cocky young flegling from Pensacola, is invited to join a famous Pacific Coast fighting squadron known as "Hell Cats." The commander of this group, Walter Pidgeon, has a wife, Ruth Hussey, and around these three the plot of the picture is drawn. Flying to the West Coast, Taylor is forced to bail out of his machine in a fog, and dragging himself out of the ocean, is aided by Miss Hussey. Not knowing she is the commander's wife, he attempts to get better acquainted and only discovers her identity after his mates have discovered, what they consider his cheap chicanery. To further promote this dislike by his squadron companions, Taylor, with his "show off" tactics, upsets the "Cats" chances of a good showing at machine gun practice by flying into the target. Sheppard Strudwick befriends him. He is working on an invention to bring planes down in heavy fog and some problems which have baffled him are solved by Taylor. There are dramatic scenes when Strudwick is killed while attempting to prove the value of his invention.

When Pidgeon is called to Washington on Navy business, his wife and the new "Cat" are inseparable—and the wife finds herself falling in love with Taylor although he is not aware of her affection for him. When Pidgeon returns, Miss Hussey informs him she is going to leave him, and the other flyers, blaming the new "Cat," force Taylor to resign. Before the resignation takes effect a plane is lost at sea and in an effort to locate it Pidgeon crashes and is badly injured. Taylor finds him, and taking him aboard his plane heads back to the base. In an amazing landing, Strudwick's invention is proved practical. In the end, the skipper gets his wife back—and Taylor is accepted back in the squadron—and all is well.

"Behind The News"

with Lloyd Nolan, Doris Davenport,
Frank Albertson

Republic 75 Mins.

NEWSPAPER YARN WITH AGREEABLE CAST HAS PACE, PUNCH AND EXCITEMENT.

Average audiences should give this offering a good reception. The story moves along at a rapid pace, the cast is agreeable and competent, and there is plenty of action. Exhibitors will find that the capable and personable Nolan is building from day to day as a box-office attraction, and the content of the story itself, crooked politics and journalism, lends itself readily to exploitation.

Direction of Joseph Santley is capable. He maintains a considerable amount of suspense, makes the action fast and furious and keeps the players in line. Screenplay was written by Isabel Dawn and Boyce De Gaw.

Nolan, as usual, is fine in the role of a flea-bitten top-notch reporter who has lost all his illusions. Doris Davenport is satisfactory as the female interest in the picture, and a fine performance is contributed by Frank Albertson as a young reporter with ideals. A highly capable supporting cast including Robert Armstrong and Paul Harvey is helpful to the picture.

Albertson, graduate from a journalism school, wins a scholarship which entitles him to six months' employment as a cub reporter on the Enquirer. He is assigned to help the Enquirer's star reporter, Nolan. Albertson covers up for Nolan on an important story while he is sleeping off a drunk and Nolan determines to force him out of the journalism game to save him from being disillusioned. However, Albertson sticks, and Nolan finally is won over to helping him clean up the crooked district attorney and a few other matters that provide action and excitement aplenty before the two reporters wind up their crusade.

CAST: Lloyd Nolan, Doris Davenport, Frank Albertson, Robert Armstrong, Paul Harvey, Charles Halton, Eddie Conrad, Harry Tyler, Dick Elliott, Archie Twitchell, Veda Ann Borg, Milton Parsons.

CREDITS: Associate Producer, Robert North; Director, Joseph Santley; Screenplay, Isabel Dawn and Boyce De Gaw; Original Story, Dore Schary and Allen Rivkin; Cameraman, Jack Marta; Editor, Ernest Nims.

DIRECTION, Good. PHOTOGRAPHY, Good.

CAST: Robert Taylor, Ruth Hussey, Walter Pidgeon, Paul Kelly, Nat Pendleton, Sheppard Strudwick, Red Skelton, Dick Purcell, William Tannen, William Stelling, Stanley Smith, Addison Richards, Donald Douglas, Pat Flaherty, Forbes Murray, Marsha Hunt.

CREDITS: A Frank Borzage Production; Producer, J. Walter Ruben; Director, Frank Borzage; Authors, Commander Harvey Haislip and John Sutherland; Screenplay, Wells Root and Commander Harvey Haislip; Cameraman, Harold Rosson; Special Effects, Arnold Gillespie; Editor, Robert J. Kern; Musical Score, Franz Waxman.

DIRECTION, Corking. PHOTOGRAPHY, Swell.

"Charter Pilot"

with Lloyd Nolan, Lynn Bari, Arleen Whelan
20th-Fox 70 Mins.

PLANES AND SABOTAGE PLUS PLenty OF ACTION AND COMEDY PUT PICTURE OVER.

This release is agreeable entertainment for any audience. It has plenty of action, a competent cast, a liberal sprinkling of comedy and a considerable amount of suspense leading up to an exciting climax. Exhibitors have a wealth of material to exploit the picture and Lloyd Nolan has a definite amount of box-office drawing ability.

Nolan is fine in the lead role, giving his usual expert delineation in a completely human and understandable fashion. He has been afforded a capable supporting cast, and two charming ingenues in the persons of Lynn Bari and Arleen Whelan, who are capable as well as being attractive. Eugene Forde directed, getting the most out of the script and players. The screenplay was written by Stanley Rauh and Lester Ziffren.

Nolan, ace flyer, gives up flying to take a job with an airline at the behest of his fiancée, Miss Bari, who is a radio announcer. Nolan endures the routine office work for some time while Miss Bari dramatizes his exploits on the air, but when sabotage of the company's planes in Honduras pops up he leaves for the Central American country.

George Montgomery, former co-pilot of Nolan's, has preceded him to Honduras and fallen for Miss Whelan, whom he meets there. Action and more action leads up to an exciting climax that spells the end of their troubles and the breakup of the men who have been causing the trouble.

CAST: Lloyd Nolan, Lynn Bari, Arleen Whelan, George Montgomery, Hobart Cavanaugh, Henry Victor, Etta McDaniel, Andrew Tombes, Charles Wilson, Chick Chandler.

CREDITS: Executive Producer, Sol M. Wurtzel; Director, Eugene Forde; Screenplay, Stanley Rauh and Lester Ziffren; Based on a story by J. Robert Bren and Norman Houston; Cameraman, Lucien Andriot; Editor, Fred Allen.

DIRECTION, Good. PHOTOGRAPHY, Good.

"Flight Command" Starts At Frisco Fox Tomorrow

San Francisco—Metro's "Flight Command" starts at the Fox here tomorrow. It's the first regular showing of the pix.

Metro has set "Flight Command" for Christmas openings at the Omaha, Omaha; Des Moines and Roosevelt, day-and-date, Des Moines; Utah, Salt Lake City; Fox, Oakland, and Poli, Waterbury. Set to start Dec. 31 are the Fifth Avenue, Seattle, and the regular engagement at Loew's Capitol, Washington, D. C., scene of the premiere.

There will be special New Year's Eve midnight showings of "Flight Command" at Poli houses in Hartford, Springfield, Bridgeport, New Haven and Rochester, and at the United Artists, Detroit and the Wisconsin, Milwaukee.



««« THE
MOTION
PICTURE
INDUSTRY
IS ON THE
UP-BEAT
SEE THE COMING
1941 FILM DAILY YEAR BOOK

THE WEEK IN REVIEW

Decree Attacks Continue

(Continued from Page 1)

its preferred stock, "U" sticks to its tender . . . 20th-Fox will finance new productions out of earnings and not borrow money . . . Howard Dietz, in keynote speech at NAA banquet marking premiere of Metro's "Flight Command" in Washington stated that creation of "morale-power" was pix industry's special job . . . Survey showed that fewer pix were available in 1940 than in 1939 . . . Arthur W. Kelly realigned UA's sales organization with Haskell Masters made Western division manager . . . Sales by exchanges in 1939 totalled \$2,544,000, Bureau of Census, D of C announced . . . Admission tax collections for November soared \$5,000,000 to \$7,124,225 . . . War Dept. announced that Army theaters will observe present clearance . . . Wis. theaters face tax on games prizes . . . Ernest Kent, FWC exec, brother of Sidney R. Kent, died on the Coast . . . F & M won action against its former counsel.

Industry Luncheon Will Climax Jewish Campaign

(Continued from Page 1)

\$250,000 to meet the 1940 budgets of the 116 health and welfare institutions affiliated with the New York and Brooklyn Federations Of Jewish Charities.

A luncheon for the entire industry to be held some time in January will climax the efforts of the Amusement Division, it was announced by David Bernstein, co-chairman with Maj. Albert Warner. The date and place of the luncheon will be decided this week.

Among those present at Friday's luncheon were: Jack Allicote, Irving Barry, Joseph Bernhard, O. O. Binder, Lawrence S. Bolognino, Harry Brandt, Leo Brecher, Harry Buxbaum, Irving Caesar, M. J. Fessler, Louis Frisch, Howard Dietz, Monroe W. Greenhalt, Toby Gruen, Arthur Israel, Jr., J. J. Lee, Bud Lytton, John Manheimer, Benjamin S. Moss, Louis Nizer, A. P. Waxman, Louis Phillips, Gene Picker, Ralph I. Poucher, Hyman Rachmil, Sam Rinzler, Harold Rodner, Aubrey Schenck, Marvin Schenck, George H. Morris, Sam Shain, Charles Sonin, David Weinstock, Herbert J. Yates, Budd Rogers, Joe Vogel, William Klein, Bert Lebnar, and L. W. Schneider.

Musicians Elect

Hayden 34th Time

Washington Bar, THE FILM DAILY Washington—Local 161, the Musicians Protective Union, has re-elected President Albert Hayden for the 34th time. Edward S. McGrath is vice-president, Charles R. Brinton, secretary, and Harry C. Maxwell, treasurer.

REVIEWS OF SHORT SUBJECTS

"Skinny Ennis and His Orchestra" (Melody Master)

Vitaphone 10 mins.

Good Band Turn

Several well-known pieces played by Skinny Ennis and his team, plus a jitterbug dancing couple and a vocalist add up to a diverting 10 minutes. The Bob Hope radio program orchestra plays "Lamplight," "Three Little Words," "Let's Do It," and "The Birth of the Blues." Jean Negulesco does a good directing job.

"Shop, Look and Listen" (Merrie Melody)

Vitaphone 7 mins.

So-So Cartoon

The further adventures of Little Blabbermouse on a package conveyor tour of a deserted department store, conducted by a W. C. Fields-type

mouse. Idea was used in an earlier Leon Schlesinger cartoon and this one is not as funny as the original. Blabbermouse heckles the barker and threatens to spoil the tour until the irate mouse ties him up in the bundle wrapping department. Technicolor is first-rate.

"California Thoroughbreds" (Sports Parade)

Vitaphone 10 mins.

Interesting Training Shots

Thoroughbred breeding in California climate gets a boost in this subject which will be welcomed by the many lovers of horses. The training of the animals from birth through their first races is shown in natural color and will maintain interest everywhere. Del Frazier wrote and directed the film.

Equity-Dramatists Guild Co-op for Tryout Theater

(Continued from Page 1)

The Theater's Joint Board will receive 5 per cent of the purchase price when experimental plays are sold for film production or radio presentation. The Board will split the 5 per cent with the sponsoring group, which, in turn, will pay off actors, directors, scenic artists, etc.

Under the Experimental Theater plan, plays will be produced in central theaters which will be contributed rent free. The authors will waive all royalties, the actors, directors and producers will work free. No one play can give more than three performances a month, however. Only the stagehands and labor unions have insisted upon being paid full scale.

When any one of the experimental productions is bought for commercial production, the Joint Board will receive 2 per cent of the Broadway grosses. This 2 per cent will be divided between the Board and the group which produced the play, the latter also paying off players, directors, scenic artists, etc.

It is reported that approximately 30 play groups will actively function under the Experimental Theater setup.

George Raft In Boston P. A.

Boston—George Raft will make a P. A. at the RKO Boston theater Christmas Day and for the week to follow, starring in a musical revue. Engagement is at the urging of Manager Harry McDonald, a personal friend of Raft.

Council Bluffs House Burns

Omaha—Fire caused by a short in electric switch room damaged the Broadway Theater in Council Bluffs, Ia., to the extent of \$25,000. Earl Kerr, manager, said the house would reopen in January.

Everett Takes Beaufort

Beaufort, N. C.—Beaufort Theater here, has been taken over by H. H. Everett Enterprises. R. G. Lang formerly operated.

Industry Holiday Parties Rule the New Haven Scene

New Haven—Though the show went on, the party spirit gave flight to some surcease from labors. Columbia exchange had an annual Xmas dinner party at the Seven Gables Inn, with Mr. and Mrs. Tim O'Toole, Mr. and Mrs. Ben Lourie, and Mr. and Mrs. Sidney Swirsky and the staff in attendance. I. J. Hoffman, New England Warner zone manager, was host to all theater managers, representatives of the theater department and exchange, at an annual party at Waverly Inn, Cheshire. The party was preceded by an important managers' meeting.

The Metro Pep Club and the Paramount exchange held dinner parties at the Oakdale Tavern, Wallingford. Metro had Maurice N. Wolfe, division manager at Boston, Thomas G. Donaldson, manager, recently promoted to Boston, and Morey Goldstein who will succeed Donaldson at New Haven as of Jan. 1, as honored guests. George Weber was in charge of arrangements. Roy Callahan, Edward Fitzgerald, and William Nuttle were in charge of the Paramount party.

The Loew-Poli division, headed by Harry Shaw, manager, and Lou Brown, publicity chief, will gather for a Christmas feast and dancing tonight at the Hotel Taft. Assistants and their wives will join the party at midnight for buffet supper and dancing.

Baltimore Police, Exhibs, Join to Aid the Needy

Baltimore—Continuing an annual Yuletide practice, the Baltimore film theater owners and Police Department co-operated in sponsoring a gigantic benefit theater party to provide Christmas baskets for the city's needy families. Virtually every movie house in the city co-operated. Tickets were sold by the police, to be honored by any theater chosen by the purchaser.

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD

PARAMOUNT is considering Technicolor for "Pioneer Woman," which William A. Wellman will produce. Decision rests on color tests of Barbara Stanwyck, now at the home office for exec. consideration.

JAMES CAGNEY will play the leading role in "Divide Bomber," an original story by Commander Frank Wead, which Warner Bros. has purchased for spring production. George Brent and Ronald Reagan are the other topliners. "Divide Bombers" will follow "The Bride Came C.O.D." on Cagney's schedule. Lloyd Bacon will direct the Wead story.

CAST of Paramount's forthcoming "Sky-lark" moved another step closer to duplicating the cast of the recent "Arise My Love" when Walter Abel was given a leading role in support of Claudette Colbert and Ray Milland.

LITERARY talents at Warners aren't confined to the scenario writers. Errol Flynn, Cornell Wilder and Jane Wyman of the acting roster are all published authors and Frederick Hollander, a member of the studio music department, has just completed a romantic novel called "Those Torn From Earth." Liveright will publish.

RKO Studio Club of which Errol Sanders is president, has put out a beautiful two-color publication as the Christmas number of its monthly News. Sixty-four pages are devoted to the various activities of the studio, along with contributions from the New York home office. The number which carries a message from President George J. Schaefer, reveals that 236 employees of the Studio have been employed there for 10 or more years and that 134 workers at the Home Office are in that classification.

LAST of this season's schedule of two-reel preparedness short subjects which Warner Bros. is producing in Technicolor will deal with the Cavalry at Fort Riley, Kansas. "Wings of Steel," dealing with the Air Corps, is now being completed at the Burbank studio.

LOU LEVY, manager of the Andrews Sisters, who are appearing in "Buck Privates," at Universal, their second stint for that company, has won featured spots for Don Raye and Hughie Prince, songsmiths, in the film. Raye and Prince, former vaudevillians, were demonstrating their new tunes for the producer on the set, and their work was so convincing that they are to appear in the picture.

DAVID BUTLER will direct the Bob Hope-Dorothy Lamour comedy, "Caught in the Draft" for Producer B. G. DeSylva at Paramount.

COLUMBIA has bought Harry Segall's unproduced play, "Heaven Can Wait." Cary Grant has first choice at the leading role. Everett Riskin will produce.

And A Merry Christmas To You—And You—And You

DO NOT REMOVE

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 123

NEW YORK, TUESDAY, DECEMBER 24, 1940

TEN CENTS

TO TRY TO MAKE DECREE WORK—BALABAN U. S. Supreme Court to Hear Florida Ascrap Case

**Expect Arguments Will Be
Heard in February; Both
Ascrap, State Appealing**

Washington Bureau of THE FILM DAILY
Washington—U. S. Supreme Court yesterday agreed to hear the Florida Ascrap case and moved it up for argument immediately following the Nebraska Ascrap case. Both cases are expected to be argued in February. In agreeing to review the Florida case, the High Court noted probable jurisdiction as in the Nebraska case, reserving the right to

(Continued on Page 8)

★ A Merry Christmas ★

9 Features Start; No Holiday Slump

West Coast Bureau of THE FILM DAILY
Hollywood—Christmas week sees no letup in the production pace, with nine features scheduled to start. The lineup:

At Columbia: Three shooting, including "The Lone Wolf Takes a Chance," melodrama, featuring Warren William with June Storey, Eric Blore, Henry Wilcoxon, Lloyd Bridges and Walter Kingsford. Sid-

(Continued on Page 5)

★ A Merry Christmas ★

5 Louisville Theaters Hit by Ushers' Strike

Louisville—An ushers' strike was called Monday in five downtown theaters by Building Service Employees International Union, Local 31. The

(Continued on Page 8)

Santas In Reverse

West Coast Bv., THE FILM DAILY

Hollywood—Abbott and Costello

have been drafted by the British War

Relief Association to play

Santa Claus (in reverse).

They will be made up as

Santa and will visit as

many homes locally as

they can, but instead of leaving

gifts, they are going to collect them

for the needy abroad.

\$2,000,000 in Federal Amusement Taxes Recovered Thru N. Y. Area Prosecutions

The Government in 90 to 95 prosecutions of theaters and night clubs in the New York area, during the past 18 months has recovered an excess of \$2,000,000 in Federal amusement taxes, Special Assistant Attorney General Jesse Moss, head of the N. Y. area, stated yesterday. Moss made the statement after handing up indictments against nine night clubs in the Metropolitan section.

He did not specify the number of theaters prosecuted but indicated that they were the lesser violators. It is understood that Moss is conducting an investigation in the Metropolitan district to make certain that theaters are complying with the admission tax law.

Cuban Commission Seeks Decree Peace

Havana (By Air Mail)—President Fulgencio Batista has named a commission comprised of the Minister of Commerce, Minister of Government, Minister of Education and others to immediately study the anti-block-booking dispute with instructions to formulate a proposal for modification of the decree, indicating

(Continued on Page 4)

★ A Merry Christmas ★

Disney Loss Laid to Disruption of Markets

West Coast Bureau of THE FILM DAILY

Hollywood—A net loss of \$1,259,798 for the year ended Sept. 23 was reported by Walt Disney Productions in its first annual report. In-

(Continued on Page 5)

Would Revamp Game Registration Yearly

Des Moines, Ia.—Some 200 patrons of theater Bank Nights in Des Moines have petitioned the City Council to require operators to make new registration lists every 12 months.

The petition was referred to the city legal department for an opinion whether the Council would have

(Continued on Page 4)

★ A Merry Christmas ★

Labor Dispute Halts Production in Mexico

Mexico City (By Air Mail)—All Mexican motion picture producers are virtually on strike this week in a reversal of the usual situation, as

(Continued on Page 7)

**Both Distrib. and Exhib.
Must Avoid Dissipation
Of Pix, Says Para. Prexy**

Paramount intends to try to make the consent decree work for the good of all and give it a fair trial, President Barney Balaban said yesterday in a letter to Fred Strom, executive secretary of North West Allied. The letter was written in answer to references made by Strom to a statement attributed to Balaban in a trade press story.



BARNEY BALABAN

Declaring that problems must be

(Continued on Page 8)

★ A Merry Christmas ★

Chi. Theaters Face Live Talent Battle

Chicago—Loop night spots plan to increase their budgets for talent in 1941, with the probable result that film theaters will have to bid

(Continued on Page 7)

Yule Find Out

If you're in a last-minute lather (and who isn't?) trying to figure out what some of our film solons want for Xmas, just shed your panic and turn to Page 4 of this li'l ole trade paper. In

"Along the Rialto" you'll find exactly what the boys individually covet for Yule, according to a special survey conducted by Phil M. Daly's cinematic shopping service. It was a difficult canvass because so many execs. insisted on keeping their mouths closed,—on the premise that it isn't sporting to open anything until Christmas.

Camera-Projector-Film Biz Up 1939 Valuation at \$133,899,429, U. S. Finds

Mobile Exhib. Loses Fight To Escape Lottery Charge

Mobile, Ala.—Ricardo Montiel, manager of the Saenger Theater, arrested and charged with violation of the anti-lottery section of the Criminal Code, has lost his appeal to the State Supreme Court, made on the grounds that "religious and other organizations at Mobile sponsor simi-

(Continued on Page 8)

Washington Bureau of THE FILM DAILY

Washington—Preliminary report of the 1939 Census of Manufactures on production of motion picture cameras, projectors and films, excluding photographic and projection lenses and prisms, discloses a 15.5 per cent rise in value of all products of the industry from \$115,887,589 to \$133,899,429.

This was accompanied by a 16.2 per cent increase in the cost of

(Continued on Page 8)

THE Film DAILY
ALL THE NEWS
ALL THE TIME

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DONALD M. MERSEUR : : : : : General Manager

CHESTER B. BAHN : : : : : Editor

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FINANCIAL

(Monday, Dec. 23)

NEW YORK STOCK MARKET

	High	Low	Close	Net
Am. Seat.	7 3/4	7 3/4	7 3/4	—
Col. Pict. vtc. (2 1/2 %)	5 1/2	5 1/2	5 1/2	—
Columbia Pict. pfd.				
Con. Fm. Ind.	9-16	1/2	1/2	
Con. Fm. Ind. pfd.				
East. Kodak	131 3/4	130	131 3/4	— 1/4
do pfd.				
Gen. Th. Eq.	11 1/8	11 1/8	11 1/8	— 3/8
Loew's, Inc.	31 1/2	31	31 1/4	— 1/4
do pfd.				
Paramount	10 1/8	10 1/8	10 3/4	— 1/4
Para. 1st pfd.	97	97	97	
Para. 2nd pfd.	10 1/4	10 1/4	10 1/4	— 1/4
Pathe Film	9 3/4	9 3/4	9 3/4	— 1/8
RKO	3 3/8	3 3/8	3 3/8	
RKO 56 pfd.	42 1/4	42	42 1/4	— 1/4
20th Century-Fox	6	6	6	— 1/4
20th Century-Fox pfd.	17	17	17	
Univ. Pict. pfd.	115	115	115	— 1/4
Warner Bros.	3 1/4	3 1/4	3 1/4	— 1/8
do pfd.				

NEW YORK BOND MARKET

Keith B. F. ref. 6 1/2 %	102 1/2	102 1/2	
Loew's deb. 3 1/2 %	104 1/4	104 1/4	
Para. B'way 3 5/8 %			
Para. Pict. cv. 3 1/4 %	96	96	— 1/2
Warner Bros. deb. 6 1/8 %	96	96	— 1/2

NEW YORK CURR MARKET

Monogram Pict.			
Sonotone Corp.	13 1/4	13 1/4	13 1/4
Technicolor	8 3/4	8 3/4	8 3/4
Trans-Lux	13	13-16	13-16
Universal Corp.	5 1/4	5 1/4	5 1/4
Universal Pict.			

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc. 2nd deb. '45	65 1/2	67 1/2
Roxy Thea. Bldg. 4s 1st '57	61	63 1/2

★ A Merry Christmas ★

Bonus for WMT Employees

Springfield, Mass.—All employees of the Western Massachusetts Theaters, Inc., receiving less than \$40 a week who had been with the company for six months or longer, were given a Christmas bonus by President Nathan E. Goldstein. Those employed six months or longer, but less than a year, got a half week's salary and those in the company's employ longer than a year received a week's pay.

Funeral Services Today For Franklyn Underwood

Funeral services will be held at 10:30 this morning at the Little Church Around The Corner for Franklyn Underwood, 20th-Fox story editor who died Sunday at the age of 63. Underwood, who had been an actor and general manager for Walter Morosco, became story editor for the company in 1930. He is survived by his wife, two sisters, Mrs. Flora Harris and Mrs. John Maider, and two brothers, George E. and Frederick Underwood. Underwood made his home at 210 West 90th Street, this city. Interment will be private.

The company's scenario offices here will be closed all day today out of respect for Underwood.

Funeral Rites In Chelsea For DeRochemont's Father

Chelsea, Mass.—Funeral services were held here yesterday afternoon in St. Luke's Church for Louis DeRochemont, 68, prominent Boston attorney and father of Louis DeRochemont, publisher-producer of The March of Time, and Richard DeRochemont, its managing editor. Deceased had been ill for some three years. In addition to his sons, he is survived by his widow, the former Sarah Wilson Miller of Cambridge, Mass., and by three sisters, the Misses Henriette, Marie and Sarah DeRochemont of Portsmouth, N. H.

Interment was in Woodlawn Cemetery, Everett, Mass.

B & K Will Build New House in Rockford, Ill.

Rockford, Ill.—The B & K Management Corp. has organized the Auburn Amusement Co., to build a new theater here. The new company has \$40,000 capital. Offices are in the Coronado Theater building.

★ A Merry Christmas ★

To Honor Barney Balaban In Chicago On Jan. 23

Chicago—A banquet in honor of Paramount's president, Barney Balaban, will be held at the Drake Hotel on the night of Jan. 23. Affair will be held in connection with the meeting of Paramount managers and sales staff to be held here Jan. 21-23.

★ A Merry Christmas ★

\$65,000 "Neighbor" Gross

"Love Thy Neighbor" ended its first week at the Broadway Paramount last night with a gross of \$65,000, having taken in \$27,000 on Saturday and Sunday. Business was considered outstanding in view of holiday shopping competition.

★ A Merry Christmas ★

Steffes, Hays in Miami

Miami—Al Steffes, Northwest Allied leader, and Theodore Hays of the Minnesota Amusement Co., are recuperating here.

Braden to Visit 10 More Cities on Arbitration

The nation appears to be "arbitration minded," according to J. Noble Braden, executive secretary of the American Arbitration Association, who returned yesterday from the midwest in connection with the setting up of the film industry's arbitration system. This indicates success for the arbitration method of settling disputes in the motion picture business, Braden asserted.

Having covered 21 cities where he obtained names of prospective personnel for the boards and tribunals, Braden now has 10 cities yet to visit between Jan. 1 and Jan. 7. These cities are in the South and East, including New York.

Names of candidates are being checked carefully by the AAA committees so that appointments can be made as shortly after Jan. 7 as possible. Arbitration system starts functioning on Feb. 1.

★ A Merry Christmas ★

Para. Suspends Holden For Refusing "Texas" Role

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount has suspended William Holden whose contract is held jointly by Columbia and Paramount, for his refusal to perform in "Texas," a picture to be made by Columbia.

Paramount officials declared they offered to pay him a substantial bonus at completion of each picture which would have been equivalent to approximately three times the salary he receives under his present contract. They said he was placed under suspension when he rejected this, demanding a salary adjustment considerably in excess of Paramount's voluntary offer.

Bryan D. Stoner Stag Dinner Set for Jan. 13

Cleveland—Industry members of all branches will honor Bryan D. Stoner, recently promoted from the local M-G-M sales force to be manager of the M-G-M exchange in Pittsburgh, with a stag dinner to be held at the Hollenden Hotel on January 13. Jack Sogg, M-G-M city salesman is chairman of arrangements.

★ A Merry Christmas ★

ET Calls In Preferred

Montreal—Outstanding 7 per cent \$100 par preference shares of Eastern Theaters, Ltd., are being called for redemption Dec. 31, at \$110 plus accrued dividends. Shares will be removed from trading on the Toronto Stock Exchange on Dec. 28 at the close of business.

The company has declared regular semi-annual dividend of \$3.50 payable Dec. 31.

★ A Merry Christmas ★

100%—and No Kicks

Cincinnati—Maurice White, White-Libson interests, entertained Film Row bookers with a steak dinner at the Hotel Alms. Attendance was 100 per cent.

COMING and GOING

SIDNEY R. KENT is expected to return to the Coast this week-end.

STANLEY JACQUES, RKO branch manager in Cincinnati, and his wife are spending a month on the Coast.

MADELINE S. WHITE, executive secretary of Monogram, is in Dallas for the Christmas holidays.

BURGESS MEREDITH flies back to the Coast Thursday.

HENRI ELMAN has returned to Chicago from a trip to New York.

HERBERT WILCOX is here from the Coast.

ANNA NEAGLE arrived here yesterday from Hollywood.

JEAN HERSHOLT has arrived here for a month's stay.

TAMARA has returned from the Coast.

JACK BENNY, MARY LIVINGSTON, PHIL HARRIS, DON WILSON and other members of the Benny radio show are on route to the Coast.

★ A Merry Christmas ★

John W. Rogers Named Pictures Corp. Vice-Prexy

West Coast Bureau of THE FILM DAILY

Hollywood—John W. Rogers, son of Charles R. Rogers, has been named vice-president and chairman of the board of directors of the Pictures Corporation of America which is making pictures for Paramount release. Rogers will also be associated with William C. Thomas in the production of the pictures.

★ A Merry Christmas ★

Asks Ban on Chaplin's "The Great Dictator"

Buenos Aires (By Cable)—A demand that Charles Chaplin's film, "The Great Dictator" be barred in Argentina, was made yesterday by the pro-Nazi newspaper, Pampero. The Mayor of Buenos Aires, where the picture is scheduled to open next week, was asked to prevent the showing of a picture "of such inferior quality."

★ A Merry Christmas ★

Flex In Syracuse Strand

Syracuse, N. Y.—John Flex will take over the managerial reins at the RKO-Schine-Strand when the house reopens tomorrow.

★ A Merry Christmas ★

"Doc" Banford Convalescing

Chicago—Doc Banford, M-G-M exchange manager is convalescing at the St. Luke's Hospital.

Season's
Greetings
from

ABBYE ERRAND SERVICE
Circle 6-5314



"Santa Fe Trail"
is paved with
GOLD!

ERROL FLYNN

OLIVIA
DeHAVILLAND

"SANTA FE TRAIL" with

KARLSON RONALD ALAN
MASSEY • REAGAN • HALE

WILLIAMSON • JONIGAN • VAN HULLEN • GENE REYNOLDS • HENRY O'NEILL
Culter "Big Boy" Williams • Directed by

MICHAEL CURTIZ

Original Screen Play by Robert Burthen • Music by Max Steiner

**PAVING THE
WAY FOR
WARNERS'
TOP YEAR
OF ACTION!**

Would Revamp Game Registration Yearly

(Continued from Page 1)

any jurisdiction in the matter. The petition asked that if the city cannot take action to recommend to the Governor and Legislature that laws be enacted controlling the registration.

The group of petitioners suggested a city ordinance which would require all Bank Night theaters to destroy their present registration lists and re-register all customers wishing to participate and that new lists be made up every 12 months.

The petition stated that Bank Nights have been sponsored in Des Moines for four years and said the operators have refused to remove names from the lists, and added that many who have registered have since moved away or died.

Answering the criticisms, G. Ralph Branton, general manager of Tri-States Theater Corp., claimed the present setup is working satisfactory and any change would be unnecessary.

"Bank Night is an advertising plan whereby we hope to maintain greater interest in motion pictures. The cost of registrations is so tremendous that it would be utterly impossible to add the cost of registrations each year. To give away the most money, the cost of operating Bank Night must be kept to a minimum. For example, in 1940 Tri-States gave away \$12,000 to date, in 1939 we gave away \$17,000 and in 1938 we gave \$15,750," Branton said.

★ A Merry Christmas ★

Auto Giveaways Offset Holiday Period Slump

Chicago—The Illinois-Indiana-Theater circuit gave away 12 Chevrolets and Dodges in eight key cities, according to Prexy Jack Rose. Business during the holiday weeks was boosted materially by the giveaways. Circuit plans other tieups after Jan. 1.



From
THE FILM
DAILY to
DECEMBER 24
J. W. Alicate
Michael Curtiz
Ruth Chatterton
Edward Hughes
Evelyn Hall
Wilfred Nay
Ted Toddy

DECEMBER 25

Joseph M. Schenck
Charles Cruz
A. P. Waxman
Helen Twelvetrees
Charles Curran
Joe Rock
Tom Reed
Sonya Levien
Earle Fox
Joe Bonomo
Beulah Marie Dix
Marguerite Churchill



What They Want for Christmas

● ● ● NICHOLAS M. Schenck, no logs in the river..... H. M. Warner, home, home on the range..... Samuel Goldwyn, 'nother visit to Shady Oaks..... Will H. Hays, to have Sullivan across the street..... Y. Frank Freeman, 7-Up..... Darryl Zanuck, Sun Valley..... Harry Cohn, a gridiron..... Sidney R. Kent, a thousand fish and one island instead of a thousand islands and one fish..... J. Cheever Cowdin, time to get back to the chuckers..... Herbert J. Yates, a rocket for commuting to West Islip..... Matly Fox, popcorn..... Albert Warner, those sheltering palms..... Bob Gillham, a portable athletic field..... Abe Myers, Allied victories..... Dave Selznick, 35 m.m.'s (Margaret Mitchell)..... Edward P. "Ted" Curtis, for the year to be not so uniform..... Louis Nizer, a sequel..... Charlotte C. Pettijohn, a perpetual President's Birthday Ball..... Bill German, to break 150..... Dr. Herbert T. Kalmus, every frame in color..... Gene Buck, more feathers in his Ascap..... Stanley Shuford, bridge without sighs..... Max Cohen, an office in the Hunting Room..... Cliff Work, reasonable players..... W. Ray Johnston, have the N. Y. gang with him on New Year's Eve..... James R. Grainger, a private plane.....

● ● ● JACK Cohn, a course of instruction in how to operate a Minox camera..... Nate Spingold, seven No Trump..... Cecil B. DeMille, more Neil Agnews..... Neil Agnew, more Cecil DeMilles..... Haskell Monsters, Canadian Club..... A. Montague, purring engines of Moneta II, and sales for the Gem of the Ocean..... Herman Wobber, Tin Pan Alleys in every block..... Charles McCarthy, a Hudson Tunnel to 444 West 56th..... Barney Balaban, a new peak for his Paramount..... Bill Scully, no tonsils..... Lou Lipton, for Columbia to sub for Nebraska in the Rose Bowl..... John Joseph, more deadline time..... Sammy Shain, another place to eat lunch..... Harry Brandt, a few more jobs..... A. Schneider, a hole-in-one..... Ed Kuykendall, a tree full of decrees..... Herbert Wilcox, even finer exploits for his R.A.F..... Grad Sears, a private hunting preserve..... Si Seadler, an air conditioned office with a tennis court

● ● ● STANTON Griffith, another Big Red powerhouse..... Jules Brulatour, to travel, see a prizelight and go to the theater all at once..... Charles Chaplin, more aid to Britain..... Joseph M. Schenck, for Xmas and his birthday to arrive separately..... Dave Lipton, his first Christmas tree (with the Cohns)..... Howard Dietz, another Pygmalion..... Nate Blumberg, to spread universal happiness..... Carl Leserman, for Santa to find his new house in New Rochelle..... J. I. Nolan, way to step-up production which is already going full blast..... Andy Smith, some nice blocks of five to play with..... Mort Blumenstock, a Shinnecock head-dress..... George J. Schaefer, RKO Radio on top..... Barret McCormick, bigger campaigns from his new 10th Floor headquarters..... Harry Gold, that kind of '40..... Jack Warner, huge deposits in the Burbank..... Ned Depinet, a couple more Kitty Foyles..... Rube Jackter, a "links" jacket..... William LeBaron, another Brown Jade..... Dave Wholen, to chant louder than ever the Battle Hymn of the Republic..... William F. Rodgers, all stars in the lineup..... Alex Korda, for the thief to steal the show..... Louis B. Mayer, the remembrances of Haverhill, Mass..... Murray Silverstone, to play Santa to the British youngsters..... Sol Wurtzel, a fine year for Commerce..... Ed Small, more fields to conquer..... Bob Rubin, a year of good counsel..... Walter Wanger, the U. S. A. and U.A.

Cuban Commission Seeks Decree Peace

(Continued from Page 1)

that the Government wants the controversy settled as quickly as possible, it was learned yesterday.

President Batista is said to be favorably disposed towards the sale of pictures in blocks of 10, a board of co-ordination to arbitrate disputes, and specification of titles and the names of stars before pictures are sold.

However, in President Batista's recommendation to the Commission it was also suggested that Cuban variety artists be employed at least twice a week in theaters. This matter is strongly opposed by the distributors, latter point out that unless the variety artists are good they will be a detriment to the film attractions playing at theaters, and add that at the present time it does not seem that enough top flight artists are available.

★ A Merry Christmas ★

Expect "Fantasia" to Play Majestic Theater, Boston

Boston—Unless plans are again changed over night, Walt Disney's "Fantasia" will go into the long dark Majestic Theater, 2,300 seater, here soon after Jan. 1. Originally it had been planned to show the pix in the Civic Repertory but "Life With Father" will stay there. The Majestic formerly a Shubert theater, later leased by M & P, is now independently owned.

WEDDING BELLS

Beatrice Levenstein of the Warner exchange staff, New Haven, will marry Harry Quint of Mt. Vernon on Jan. 23.

West Coast Bureau of THE FILM DAILY
Hollywood—Wedding of Deanna Durbin and Vaughn Paul has been announced for June 7.

Miami—Marriage of Ralph Ramsey, assistant manager of the Wometco State Theater here, to Bonnie Ed Yelverton, of Coconut Grove, has been announced.

Miami—Box-office romance of two Wometco employes will culminate New Year's Day when Owen Wills, in charge of the accessory department, weds Louise Bowman, ex-cashier.

Jean Muir and Henry Jaffe, AFRA attorney, were married over the week-end, at the home of Mr. and Mrs. Lawrence Tibbett.

Announcement of the engagement of Sam Mentlik, brother of Lou Mentlik, of the Exhibitor, to Lee Rothman will be made tomorrow. Mentlik is associated with his father in the manufacturing business.

HOLLYWOOD SPEAKING--

By RALPH WILK

—HOLLYWOOD

FELIX YOUNG and **Charles Morrison**, well known members of the film colony, will open the Mocambo, a swanky new night spot on Sunset Strip Dec. 27. The room is Pan-American in theme. **Phi Ohman** and his orchestra and **Humberto** and his musicians will furnish the music.

HAVING brought M-G-M's "The Bad Man," starring **Wally Beery**, in three days under schedule, Director **Richard Thorpe** tossed a party on the set for the cast and crew who made it possible. Although six days of shooting time were lost because of snow and fog on locations, Thorpe received such co-operation from his crew that he made up all the lost time and then some.

GRACIE FIELDS, who has entertained more British troops than any other comedienne, is now planning to include **March Field** in her itinerary of personal appearances for the poor and needy. She will use the same brand of humor and comic songs on the American flyers in training as she did on British fighters.

BRADBURY FOOTE will plane out for New York Thursday to study the very latest in men's fashions for 1941. The material he gathers will be worked into M-G-M's "A Tailor-Made Man," for which he is writing the screenplay. This will be one of the first pictures ever to put the accent on men's fashions.

EXTRA precautions on the part of **Norman Taurog**, M-G-M director, prevented any of the 400 boys working in "Men of Boys Town" from catching the flu during production. But immediately on completion of the picture, Taurog went to Arrowhead Springs to recover from a case of flu he had contracted himself.

KETTI FRINGS, author of the current best-seller, "Hold Back the Dawn," has been signed by **Alexander Korda** to work on the screenplay of "Manon Lescaut," which will star **Merle Oberon** under the direction of **Julien Duvivier**.

TWENTIETH CENTURY-FOX has purchased "Miami," by **Stephen Powys**. **George Seaton** is doing the screenplay for **Harry Joe Brown**, who will be associate producer on the picture. **Betty Grable** will head the cast and **Leo Robin** and **Ralph Ringer** will do the music. Picture is supposed to start in January.

DARRYL F. ZANUCK has gone up to Sun Valley, Idaho, with his family for the holidays. He will return to the studio around Jan. 4.

LOU OSTROW has bought three stories. The first is "I Won't Dance," an original for **Harry Sauber** who is also doing the screenplay. Picture will star **Cesar Romero**. "We Go Fast," a Saturday Evening Post story by **Doug Welch**, and "Green Entry," by **S. Ruth Howard**. All three will be produced by Ostrow for 20th Century-Fox.

9 Features Start; No Holiday Slump

(Continued from Page 1)

ney **Salkow** directing, producer, **Ralph Cohn**.

At M-G-M: Four shooting, including "The Trial of Mary Dugan," melodrama, featuring **Laraine Day** and **Robert Young** with **Sara Haden** and **Francis Pierlot**. **Norman McLeod** directing for producer **Edwin Knopf**, and **Oliver Marsh**, cameraman; Starting Thursday, "Free and Easy," comedy romance with **Edward Buzzell** directing for producer **Milton Bren**.

At Paramount: Two shooting, including "One Night in Lisbon," comedy romance co-starring **Fred MacMurray** and **Madeleine Carroll** with **Edward H. Griffith** directing.

At RKO: Three shooting. At Republic: Two shooting.

At 20th Century-Fox: Five shooting, plus one to start Thursday. The latter "A Very Young Lady" starring **Jane Withers** with **Nancy Kelly** and **John Sutton** playing the romantic leads. **Harold Schuster** directing for producer **Robert T. Kane**.

At Universal: Four shooting.

At Warners: Four shooting, plus three to go this week. Latter are "The Bride Came C.O.D." comedy co-starring **Bette Davis** and **James Cagney**, with **William Frawley**, **George Tobias** and **Stuart Erwin**. **William Keighley** directing from an original story by **Kenneth Earl** and **M. M. Musselman**, with screenplay by **Philip and Julius Epstein**. **William Cagney** producer; "Miss Wheelwright Discovers America," with **Priscilla Lane** and **Ronald Reagan**. **Curtis Bernhardt** directing. **Jerry Wald** and **Richard Macaulay** wrote the screenplay, based on an original by **Leonard Spiegelgass**; "Winged Victory," co-starring **James Stephenson** and **Geraldine Fitzgerald** with **Irving Rapper** directing.

At Hal Roach: "Broadway Limited" with **Gordon Douglas** directing. **Victor Mature**, **Dennis O'Keefe**, **Marjorie Woodworth** in the leads, supported by **Patsy Kelly**, **ZaSu Pitts**, **Leonid Kinsky**, **George E. Stone** and **John Sheehan**.

★ A Merry Christmas ★

Ontario Starts Operators Training Course Jan. 6

Toronto—Initial course in the Ontario Government's program for training projectionists and sound and radio amplification operators will open at Queen's Park, Toronto, on Jan. 6, O. J. Silverthorne, chairman of the Motion Picture and Censor Board, announced.

Silverthorne said each course required 12 months and that new applicants would be enrolled every quarter. The cost of the course is set at \$100. The chairman said that under the apprentice system, which required three years for graduation, many would-be projectionists were unable to pass the board's tests.

Threatens to Sell If Gross Is Taxed

Ware, Mass.—**Bernard Satz**, manager of the Casino Theater, said the theater will be put up for sale if the selectmen persist in taxing movie houses 10 per cent of the gross instead of the usual \$25 a year.

Pipitone Again Elected By New Orleans Musicians

New Orleans—A close election, with most of the interest centering on the election of Directors and Delegates to the AFM convention, unanimously returned **G. Pipitone** to office as president of the Musicians' Mutual Protective Union here recently. **Charles Hartmann** defeated **Albert Kirst, Jr.**, for vice-president, while **Robert Aguilera, Sr.**, was re-elected recording secretary and **R. L. Chabao**, financial secretary. Convention delegates are: **Pipitone**, **Chabao** and **Charles Hartmann**. Directors are: **Anthony Almerico**, **E. G. Gerbrecht**, **Marion Suter**, **Johnny DeDroit**, **Russ Papalia**, **Ettore (CQ) Fontana**, **Leo Broekhoven**, **Jean Paquay** and the officers.

★ A Merry Christmas ★

"Road Show" Out Jan. 24

UA will release **Hal Roach's "Road Show"** Jan. 24.

Disney Loss Due to Market Disruption

(Continued from Page 1)

cluded are an operating loss of \$259,798 and a writedown of \$1,000,000 in the inventory value of "Pinocchio." Report for the year ended Sept. 30, 1939 showed a net profit of \$1,250,130 after all charges and Federal income taxes provision.

Disruption of foreign markets was the chief cause of the loss, according to **Walt Disney**, president, who said:

"It has been impossible to effect an orderly release of the company's pictures in any of the countries at war, and in many countries it has been impossible to effect any release whatsoever. In fact, in most of the territories dominated by the Axis powers the release of American pictures has been forbidden."

Income from film rentals for 1940 totaled \$1,954,335, of which \$976,211 came from "Pinocchio," \$874,597 from shorts and \$103,526 from "Snow White." In 1939 film rentals totaled \$3,237,217, of which \$2,089,192 came from "Snow White." Other income totaled \$571,387, of which \$289,829 represented fees for licensing the use of Disney characters.



SOCIAL SERVICE

Cesar Romero, as the Romeo of the rackets, thoughtfully gives nice things to chorus girls to save them from... of all things!...temptation.

TALL, DARK and HANDSOME

20th's natural!...loaded with laughs! thrills! tunes!



A
Merry Christmas
to All

From
THE GANG
ON
FILM DAILY



Labor Dispute Halts Production in Mexico

(Continued from Page 1)

a result of the resolution adopted by the Mexican Association of Motion Picture Producers and Distributors to postpone starting new films until a satisfactory settlement is reached in the latest conflict with the Union of Motion Picture Studio Workers of Mexico. Both parties have appealed to President Manuel Avila Camacho and to the Ministry of National Economy.

Deadlock allegedly arose from the fact that Enrique Solis, secretary general of the Union threatened to force producer Alfonso Sanchez Tello to employ the services of a sound engineer not agreeable to the latter as well as a sound equipment which producers allege is the property of the secretary general himself. Tello took his grievances to the association which demanded Solis resign his union office.

Meanwhile, three new pictures which were slated to start shooting before the end of the year, have suspended for the time being. Producers and workers alike, however, agreed to finish three other productions already in work. There are Producciones Fernando de Fuentes' "Labios Sellados" (Sealed Lips), Producciones Miguel Zacarias' "Papa se Enreda Otra Vez" (Papa's At It Again), and Raphael J. Sevilla's production of "La Torre de los Súplices" (Torture Tower). The first two are being filmed at the studios of Cinematografica Latino Americana, S. A. (CLASA), the last mentioned, at the plant of Estudios and Laboratorios Cinematograficos Azteca.

Landers Stevens Dead

West Coast Bureau of THE FILM DAILY

Hollywood—Landers Stevens, 63, veteran player, is dead. His last screen appearance was in Orson Welles' "Citizen Kane." Survivors are his mother and two sons, George Stevens, director, and Jack Stevens, cinematographer. His brother, Ashton Stevens, is a Chicago drama critic.

Mary Cecil Dies

Mary Cecil, stage and screen actress, died Saturday at St. Luke's Hospital after a three-day illness. A stock company and Broadway player, Miss Cecil's last appearances were in the stage and screen versions of "The Women."

G. W. Cook Dead

Milwaukee—G. W. Cook, 57, projectionist at the Avalon Theater, died in a local hospital. Cook was one of Milwaukee's pioneer projectionists and is survived by his wife, three sons, his father, four sisters and a brother.

"REVIEWS" "Hudson's Bay"

with Paul Muni, Gene Tierney, Laird Cregar
20th-Fox 95 Mins.

(HOLLYWOOD PREVIEW)

MUNI IN NOTABLE PERFORMANCE IN EXCITING ADVENTURE STORY; SHOULD GET TOP B.O. BIZ.

There is much entertainment in this picturization of the exciting adventures of Pierre Esprit Radisson, intrepid French-Canadian explorer and trapper, who discovered Hudson's Bay in the 17th Century. The majestic outdoors serves as eye-filling backgrounds for the story. Guiding the action, comedy and romance is Irving Pichel, whose direction places him among Hollywood's leading directors. Kenneth Macgowan, who has acted as associate producer on several big pictures, supplies important production values.

Paul Muni gives a notable performance as the resourceful, fearless Radisson, in love with the Hudson's Bay country and insisting on fair dealings with the Indians. Massive Laird Cregar, a newcomer, furnishes a splendid portrayal as Muni's companion, and it is certain that fans and exhibitors will be clamoring to see Cregar in more pictures. John Sutton does very good work as an Englishman, who finances Muni's long trek through the wilderness to Hudson's Bay. An outstanding characterization is provided by Morton Lowry as the wastrel brother of Gene Tierney, with whom Sutton is in love. By the way, Gene is decorative and capable in her role.

Vincent Price is effective as King Charles II, of England, while Virginia Field enacts the part of Nell Gwynn, his mistress. Nigel Bruce is another important member of the cast. Lamar Trotti has provided a gripping screenplay, which also has several moments of comedy. Peverell Marley and George Barnes share honors for the high-grade photography.

Sutton, who has been banished from England, is rescued from jail by Muni and Cregar, who finally succeed in inducing him to finance their trip to Hudson's Bay, which they picture as a fabulous fur-bearing country. They reach their goal and in trading, get 300,000 pelts from the Indians. Montagu Love, the French governor, tries to place obstacles in their way, but they reach England, and induce Nigel Bruce, Robert Greig and others to finance trips to the Canadian outpost.

Muni, Sutton and Cregar agree to take Lowry on their trip back to the wilderness. At their fortress, 200 miles from Hudson's Bay, Lowry refuses to go on with the others. He remains behind, trading liquor to the Indians for pelts. The drunken Indians go on the warpath and slay some of their own members. An Indian leader insists that Lowry be executed for the deaths he has caused, and Muni, to keep peace among the redskins, orders Lowry slain. Muni, Sutton and Cregar return to England, and Price decrees that they be hung for the murder of one of his subjects. However, when it is pointed out that the Indians will trade only with Muni, Price relents and frees the men.

CAST: Paul Muni, Gene Tierney, Laird Cregar, John Sutton, Virginia Field, Vincent Price, Nigel Bruce, Morton Lowry, Robert Greig, Chief Thundercloud, Frederick Wolfe, Florence Bates, Montagu Love, Ian

"Grapes of Wrath" Named National Board's Best

Twentieth Century-Fox's "The Grapes of Wrath" was selected as the best film of 1940 by the Committee on Exceptional Photoplays of the National Board of Review. "The Baker's Wife" was named the best foreign-language film and "The Fight for Life" the best documentary of the year. "Power and the Land" was given honorable mention in the documentary classification.

Committee's selections for the ten best American films were: "The Grapes of Wrath," "The Great Dictator," "Of Mice and Men," "Our Town," "Fantasia," "The Long Voyage Home," "Foreign Correspondent," "The Biscuit Eater," "Gone With the Wind," and "Rebecca."

Two popular appeal polls were taken by the National Board, the Review Committees naming: "Rebecca," "Gone With the Wind," "The Grapes of Wrath," "Fantasia," "Pride and Prejudice," "Foreign Correspondent," "The Great Dictator," "All This and Heaven Too," "Abe Lincoln in Illinois," and "The Long Voyage Home."

The Motion Picture Councils, which have not seen "Fantasia" and "The Great Dictator," chose: "Rebecca," "All This and Heaven Too," "The Grapes of Wrath," "Pride and Prejudice," "Gone With the Wind," "Knute Rockne, All American," "Abe Lincoln in Illinois," "The Howards of Virginia," "Foreign Correspondent," and "Young Tom Edison."

Special praise was voted the following performances by the Committee on Exceptional Photoplays: Janette Bryan in "We Are Not Alone," Betty Field in "Of Mice and Men," Henry Fonda in "The Grapes of Wrath," and "The Return of Frank James," Joan Fontaine in "Rebecca," Greer Garson in "Pride and Prejudice," William Holden in "Our Town," Vivien Leigh in "Gone With the Wind" and "Waterloo Bridge," Thomas Mitchell in "The Long Voyage Home," Raimu in "The Baker's Wife," Ralph Richardson in "The Fugitive," Flora Robson in "We Are Not Alone," Ginger Rogers in "The Primrose Path," George Sanders in "Rebecca," Martha Scott in "Our Town," James Stewart in "The Shop Around the Corner," Conrad Veidt in "Escape."

Wolfe, Chief John Big Tree, Jody Gilbert, Denis Green.

CREDITS: Associate Producer, Kenneth Macgowan; Director, Irving Pichel; Based on incidents from the life of Pierre Esprit Radisson; Original Screenplay, Lamar Trotti; Technical Advisor, Clifford Wilson, Historian, Hudson's Bay Co.; Cameramen, Peverell Marley and George Barnes; Art Directors, Richard Day and Ward B. Ihnen; Editor, Robert Simpson.

DIRECTION, Brilliant. PHOTOGRAPHY, High-grade.

Chi. Theaters Face Live Talent Baffle

(Continued from Page 1)

against the night clubs and hotels for "name" bands and stage talent. It is estimated that night spots in this territory spent more than \$2,000,000 for entertainers this year. A weekly budget of \$15,000 has been set by the Palmer House Empire Room for the new year.

Meanwhile, the William Morris agency reports more inquiries for live talent from film theaters now than for the same period last year. The outlook is bright for more flesh acts next year, it was said.

★ A Merry Christmas ★

"Cavalcade of Faith" First for Jeffrey Co.

Jeffrey Pictures Corp., with offices in the RKO Building, 1270 Sixth Ave., has been organized by George S. Jeffrey to produce and distribute. Initial pix is "Cavalcade of Faith," with versions in English, Spanish, Polish and Italian ready. Feature deals with the evolution of Christianity.

Associated with Jeffrey are: Robert E. McIntyre, vice-president and sales manager; Allyn Butterfield, vice-president and production manager; M. E. Jeffrey, treasurer; Lee Kugel, advertising and publicity director.

★ A Merry Christmas ★

Levere Montgomery Joins Houck's Joy Theaters

New Orleans—Levere Montgomery, booker of United Theaters, a chain of nabe houses here and buyer for Theater Service Corp., a buying outfit close to E. V. Richards, has tendered his resignation as of Jan. 1 to join Joy Houck's Joy Theaters. Houck, who built a circuit from a series of tents and who is regarded as a shrewd operator, recently moved his offices from the building housing the United chain and Theater Service and has moved back to film row, taking space in the old Fox exchange. John Richards is reported slated to succeed Montgomery with United and Theater Service.

★ A Merry Christmas ★

"Our Town" Director, Cast On the Air Sun. Evening

Cast of Sol Lesser's "Our Town," (UA release which has been named the outstanding film of 1940 by Redbook Magazine), including Martha Scott, William Holden, Fay Bainter, Beulah Bondi, Thomas Mitchell, Guy Kibbee, Stuart Erwin, Frank Craven and Sam Wood, the director, will be heard on CBS network Sunday night at 7:30. Bette Davis and Douglas Churchill of Redbook will present the award to Lesser from Ciro's in Hollywood.

Will Try to Make Decree Work—Balaban

(Continued from Page 1)

met under the new system of selling and that both the distributor and exhibitor must protect himself against dissipation of product, Balaban explained that "this is precisely what I mean by saying that there would be no exhibitors' field day," an observation in answer to the suggestion that some exhibitors had something of the kind in mind. There cannot be a "field day" for either buyer or seller at the expense of the other."

Balaban informed Strom that there must be an orderly method for distributing pictures so that the studio can be supplied regularly with funds.

Must Avoid Confusion

"Considering the fact that second-runs must follow first-runs and subsequent-runs follow earlier runs," Balaban wrote, "it must be apparent that the sale and booking of pictures must be so arranged as to avoid confusion... To attempt to accumulate product for indiscriminate offering without recognizing the fact that some order is necessary would not simplify or aid in the solution."

Balaban insisted that he was not endeavoring to announce any definite plan or formula for distribution when he made the statement regarding the selling and booking of product in their order.

"However," he continued, "assuming for the purpose of discussion that Paramount had decided on a uniform plan or policy of putting into the market only one block of five pictures at a time and of refraining from offering any other block until the first block had been completely bought and booked by its customers, I cannot see how that would violate the consent decree in letter or in spirit. On the contrary, it would seem to be the one sure, safe course to follow to avoid a violation of the decree or a claim of violation."

Exhib. Free to Buy or Not

"If Paramount should offer a block of five pictures and no others at the time, each exhibitor to whom it is offered is perfectly free to buy or not to buy, strictly upon his judgment as to its merit; and neither the distributor nor the exhibitor could under any circumstances bring any other picture or block of pictures into the equation. Under such a plan Paramount could not say to an exhibitor, 'Here are several block of trade-shown pictures but you cannot have

Short Story

Chattanooga, Tenn.—Lamped on the marquee of a local film theater:

"A Child Is Born."
"Hold That Woman."

RKO Boston Will Present Duals With Both "George White's Scandals" and Kyser's Ork

Boston.—"George White's Scandals" will come into the RKO Boston the week following Christmas. Set to follow the "Scandals" come Kay Kyser and his crew for an eight-day stand. The RKO Boston will also continue to show duals with this array of stage talent, giving the longest show in the Hub.

Camera-Projector-Film Biz Up

1939 Valuation at \$133,899,429, U. S. Finds

(Continued from Page 1)

materials, supplies, fuel, purchased electric energy, and contract work, from \$36,652,879 to \$42,556,269.

The number of establishments in the field rose 46.8 per cent, from 109 to 160. Salaried personnel fell in number 7.2 per cent, from 4,762 to 4,419, but earnings of this group increased 2.5 per cent, from \$10,828,947 to \$11,098,065. Wage earners engaged in manufacturing operations numbered 17,271, with a payroll of \$25,286,669.

Motion-picture cameras made last year had a total value at the factory of \$4,606,851, according to the report. The 1939 Census of Manufactures was the first in which a separate figure was obtained for motion-picture cameras. Still cameras had a value of \$12,739,411. Total value of still and motion-picture cameras was \$17,346,262, against \$12,409,961 in 1937.

Production of projectors increased

in value from \$7,154,825 in 1937 to \$8,413,872 in 1939. The increase is accounted for largely by motion-picture projectors of less than 35 mm. gauge, which numbered 134,515 valued at \$6,302,734 last year, against 114,593 valued at \$4,869,156 in 1937. Standard-gauge projectors declined from 4,093 valued at \$1,995,208 in 1937 to 2,726 valued at \$1,287,478 last year. Other projectors gained in value from \$290,461 to \$823,660, although the number produced declined from 104,065 to 36,780.

Films, both motion-picture and other, exclusive of X-ray, increased from \$49,502,783 to \$55,492,493.

Miscellaneous photographic apparatus, such as reels, tripods, tanks, etc., dropped in value from \$13,847,025 to \$12,950,728.

Sensitized photographic paper gained from \$12,285,739 to \$15,821,151. Sensitized plates and slides lost slightly, from \$876,756 to \$868,296.

5 Louisville Theaters Hit by Ushers' Strike

(Continued from Page 1)

union organizer, claimed 80 em-theaters in which C. H. Johnson, ployes voted Sunday to strike are the Rex, Strand, Rialto, Kentucky and Mary Anderson. They demand \$6 a week raise and closed shop.

Johnson said the managers of theaters, all of which are picketed, said they would remain open. Ushers have been receiving 25 cents an hour plus time and half for overtime on a 40-hour week basis.

In the meantime, a union dispute over the issue loomed. BSEU claimed jurisdiction, but Fred J. Dolle, president of Fourth Avenue Amusement Co., operators of three of the struck theaters, said A F of L president, William Green has wired that the IATSE has jurisdiction and that representatives will be sent to aid negotiations.

★ A Merry Christmas ★

"U" Signs Rudy Vallee

West Coast Bureau of THE FILM DAILY
Hollywood—Universal has signed Rudy Vallee for a musical.

a block or more which you want unless you take others that I am offering you.' On the other hand, the exhibitor could not claim that that was the requirement that Paramount imposed, which would be contrary to the decree."

Balaban promised that Paramount could not violate the decree in letter or in spirit.

Mobile Exhib. Loses Fight To Escape Lottery Charge

(Continued from Page 1)

lar operations on an extensive scale, and they enjoy an immunity from prosecution not extended to me."

The Mobile theater manager sought to be rid of the charges by the simple process of enjoining the sheriff and solicitor from prosecuting him. The lower court ruled against Montiel, however, and its decision now has been sustained by the high tribunal, which pointed out that he could not enjoin, by equity proceedings, prosecution for an indictable criminal offense. This leaves the case, which has attracted wide exhib. interest, to go to trial in the lower court.

Montiel set forth in his petition to the Supreme Court that he had been "discriminated against, and denied equal protection of the law." Montiel submitted a lengthy list of "exhibits" listing churches, fraternal and charitable organizations, which he claimed had sponsored similar operations without running afoul of the law. His exhibits showed that in a period of less than five months they had paid out in cash prizes \$31,984.81, and \$1,426 in other prizes.

★ A Merry Christmas ★

Moscow Plan Hits Snag

Metro's plan to premiere "Comrade X" in Moscow, U. S. A., has struck a snag—there are 16 Mos-cows here.

High Court to Hear Florida Ascap Case

(Continued from Page 1)

dismiss the proceedings if it determined jurisdiction is lacking.

Both Ascap and the state of Florida have filed appeals from the decision of the District Court which invalidated sections 4A and 4C of the 1939 act, but upheld the remainder of the statute on the grounds that such sections had a valid purpose to compel disclosure to protect music users against imposition in the matter of copyrighted music and that the state had gone about effecting that purpose in a reasonable way.

Ascap contends the entire act is unconstitutional and the State contends the entire act is not in violation of the constitution, including the two sections struck down by the District Court. A previous statute was passed in 1937 and subsequently invalidated in its entirety by the District Court. If the case goes to decision, the high court will decide the validity of the entire 1937 and 1939 acts.

Sources conversant with Ascap's position in the Florida case asserted last night that it did not dispute jurisdiction in the action brought by that State, but did dispute jurisdiction in the Nebraska action, and moved to dismiss the appeal.

Commenting channels held that there is a better than reasonable possibility that the U. S. Supreme Court may dismiss in the Nebraska-Ascap case.

★ A Merry Christmas ★

200 Attend Chicago's Testimonial for Gilliam

Chicago—Two hundred leading exhibitors and film men attended the farewell dinner at the Congress Hotel tendered Tom Gilliam, Warner Exchange manager, who has been transferred to head the Atlanta Exchange. A RCA radio combination was presented to Gilliam. Jack Oserman of the RKO Exchange presided as toastmaster. On the dais also were: John Balaban, James Coston, Clyde Eckhardt, James Donohue, Jack Kirsch, Tom Gilliam, Jack Flynn. Wires from Van Nomikos, Spyros Skouras, Carl Leserman, Ben Kalmenson, Rud Lorentz, Bill Brumberg and many others were read.

Reform Week?

Wolfeboro, N. H.—Maybe it was Reform Week at Ansel Sanborn's Memorial Hall in Wolfeboro and Pine-land in Center Ossipee.

Anyway, a twin billing at both houses read:

"You'll Find Out"—"Crime Doesn't Pay."

THE Film DAILY

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DO NOT

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 124

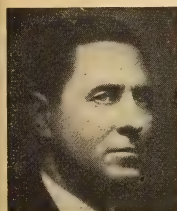
NEW YORK, THURSDAY, DECEMBER 26, 1940

TEN CENTS

U.K. REMITTANCE PACT REPORTED SIGNED O. Henry Briggs Heads Producers Releasing Corp.

Former Pathe Lab. Prexy
Succeeds Rathner; Re-
financing Program is Set

O. Henry Briggs, former president of Pathe Laboratories and long associated in an executive capacity with



the Pathe organization, was formally elected president of Producers Releasing Corp. at a meeting of the board of directors on Monday, it was learned over the holiday.

Election of Briggs to the presidency

followed a re-financing program for
(Continued on Page 2)

"Patient" Arbitrators Sought for Industry

Men who will fill the arbitrators' ranks in the industry's arbitration system must have the quality of being "patient and good listeners," it was pointed out Tuesday. In most cases, the personnel will include
(Continued on Page 6)

NBC Will Broadcast Pix Awards of N. Y. Critics

Bosley Crowther's presentation of the Annual Awards of the New York Film Critics to the winning motion picture producer, actresses and ac-
(Continued on Page 6)

Skouras Employes Aid Greek Relief

Sum of \$1,200 was turned over to George Skouras Tuesday by employes of Skouras Theaters as a contribution to the Greek War Relief organization. Contribution was voluntarily raised by the Skouras employes.

EXHIB. CO-OP TALK "NONSENSE"

Kuykendall Says Decree Makes No Provision for Participation of Theater Operators

Talk of exhibitor co-operation to make the consent decree work and "to give it a fair trial" is "more or less nonsense" in the opinion of Ed Kuykendall, MPTOA president. In a general bulletin, Kuykendall declares that there is "no provision anywhere in the decree for exhibitor participation or co-operation in the administration or operations under

the decree. It actually makes no particular difference whether the exhibitor is willing to co-operate or whether he isn't," he adds.

Kuykendall points out that the new methods and restrictions on selling are to be undertaken entirely by the distributors. The arbitration system is placed entirely in the
(Continued on Page 6)

Greater Attendance Held Local Problem

The problem of attracting the 32 million persons who the Gallup Poll asserted seldom go to the picture theaters is a local one and the answer lies in the exhibitors' own neighborhood or community, contends Ed Kuykendall in a general bulletin issued over the holiday.

"State and local exhibitor organi-
(Continued on Page 7)

Shirley Temple to Make Pix for Metro in Spring

West Coast Bureau of THE FILM DAILY

Hollywood — Shirley Temple will return to the screen in the Spring via Metro. Contract, according to her family, is for one feature. Deal was set after prolonged negotiations both in the East and here.

Court Rules Against Ascap Declared Illegal; Washington State Upheld

Committee Will Govern Halifax Sunday Shows

Halifax—A committee to govern the recently approved plan to operate Sunday shows for service men and their companions has been named. Personnel includes: Lieut. V. H. Tillson, for the Navy; Flying
(Continued on Page 6)

New Quarters for Arbitration Setup

Entire eighth floor of the U. S. Rubber Bldg., 1230 Sixth Ave., in Radio City, has been leased by the American Arbitration Association. The new quarters will house the New York tribunals for the motion picture arbitration setup and will serve as the administrative center for the system. The AAA also will
(Continued on Page 2)

Receiver for Colonnade Asked in Florida Court

Miami, Fla.—Suit for appointment of a receiver for Colonnade Pictures Corp., Coral Gables, and the Coral Gables 16 Millimeter Corp., was filed in Circuit Court by Don Jordan, Inc., which asks an accounting.

Tacoma, Wash. — A unanimous opinion in Federal Statutory Court here Tuesday declared Ascap an illegal combination in restraint of trade.

The decision of the three Federal judges upheld the State of Washington's 1937 copyright act and dis-
(Continued on Page 7)

American Distribs. Unable To Agree on Allocation; Issue to be Arbitrated

The British currency agreement covering withdrawals of money from England during the quota year, Nov. 1, 1940 to Oct. 31, 1941, was reported signed Tuesday by the eight American major companies.

Finalization followed receipt of the British terms, with revised wording in several clauses the only change made, it is understood.

Allocation of the money remitted, however, will be arbitrated. Alloca-
(Continued on Page 7)

Ohio Decision Fails To Solve Game Issue

Columbus, O.—Legality of Bank Night in Ohio still remains in doubt, although the State Supreme Court Tuesday upheld a Court of Appeals decision refusing an injunction to
(Continued on Page 6)

Indiana Exhibs. Sue To Recover on Double Tax

Indianapolis—A suit intended to settle the question of whether the state gross income tax department may collect on receipts from so-may
(Continued on Page 7)

Good-Will Conclave Proposed by MPTOA

MPTOA plans to develop a national "good-will" convention shortly. Writing in a general bulletin, President Ed Kuykendall said "maybe it would help to generate some real good-will in the business, take our minds off our grief and give the whole industry a little shot of enthusiasm and better feeling." This type of convention is in the making, he indicated. Recently, in New York, Kuykendall said a date and place for the conclave would be set next month.

THE Film DAILY

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DONALD M. MERSERAU : : : : General Manager

CHESTER B. BAHN : : : : Editor

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FINANCIAL

(Tuesday, Dec. 24)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	73 1/2	73 1/4	73 3/4	+
Col. Pict. vtc. (2 1/2%)	5 7/8	5 5/8	5 3/4	+ 1/4
Columbia Pict. pfd.	24 1/2	23 1/2	24 1/2	+ 1/2
Con. Ind. Ind.	1 1/2	1 1/2	1 1/2	0
Con. Fm. Ind. pfd.	7 3/4	7 3/4	7 3/4	0
East. Kodak	132 1/2	131 1/4	132 1/2	+ 3/4
do pfd.	11 1/2	11 1/2	11 1/2	0
Gen. Tr. Eq.	31 1/4	30 3/4	31 1/4	+
Loew's, Inc.	10 1/2	10 1/2	10 1/2	0
do pfd.	10 1/2	10 1/2	10 1/2	0
Para. 1st pfd.	10 1/2	10 1/2	10 1/2	0
Para. 2nd pfd.	10 1/2	10 1/2	10 1/2	0
RKO Film	9 3/4	9 3/4	9 3/4	- 1/8
RKO 2d	3 3/4	3 3/4	3 3/4	0
20th Century-Fox	6 1/2	6	6 1/2	+ 1/2
20th Century-Fox pfd.	17 1/4	17 1/4	17 1/4	+ 1/8
Univ. Pict. pfd.	11 1/2	11 1/2	11 1/2	0
Warner Bros.	3 1/4	3	3 1/4	0
do pfd.	3 1/4	3	3 1/4	0

NEW YORK BOND MARKET

Keith B. F. ref. 6446	93	93
Loew's deb. 8 1/2% 46	93	93
Para. B'way 3 1/2%	93	93
Para. Pict. cv. 3 1/4% 47	93	93
Warner Bros. deb. 6 1/2%	93	93

NEW YORK CURB MARKET

Monogram Pict.	5-16	1/4	1/4	—1-16
Sonotone Corp.	9	8 3/4	9	+ 1/8
Technical	13-16	3/4	3/4	—1-16
Trans-Lux	13-16	3/4	3/4	—1-16
Universal Corp. vtc.	5 1/2	5 1/4	5 1/4	0
Universal Pict.	5 1/2	5 1/4	5 1/4	0

"Dictator" Does \$60,000 In Three London Spots

London (By Cable)—Total of \$60,000 was netted by "The Great Dictator" in its first week's run at three West End houses.

"Dictator" In Montevideo

Montevideo (By Air Mail)—First attraction for the recently completed Trocadero will be Chaplin's "The Great Dictator." House, built by the Glucksmann concern, seats 1,500 and is equipped with RCA Photophone sound.

O. Henry Briggs Named PRC Head

(Continued from Page 1)

PRC. More than sufficient capital has been obtained to complete the 21 pictures yet to be made on the company's schedule of 38 features. PRC's present producers include Sig Neufeld, Jed Buell, Ted Richmond and E. B. Derr. Negotiations are under way to add other units to the company's roster.

Franchise holders and owners of the company who attended the board meeting included Harry Asher, Boston; Lee Goldberg, Cleveland; Lou Routstein, Los Angeles; George Gill, Washington, and Bert Kulick, New York.

Briggs' position on the Monogram board remains unaffected. Harry Rathner, former PRC president, resigned about two weeks ago.

Midwest vs. Mich. Co-op. Adjourned Until Tuesday

Detroit—Trial of the suit of Midwest Theaters against Co-operative Theaters of Michigan was adjourned at Tuesday's hearing until next Tuesday.

Most of the day's session was given over to presentation of statistical evidence prepared by auditors from examination of both plaintiff's and defendant's books. Evidence was intended to show that both the Colonial and Majestic Theaters, operated by Midwest, paid more for the same films than did the Roxy and Mayfair, operated by Cohen Bros. who are members of Co-operative. Figures were also introduced to show the comparative operating costs and profits of the theaters named above.

Week's Salary as Bonus To Wometco Employees

Miami Beach, Fla.—Wometco Theaters here Tuesday gave employees who had been with the company for one year a week's salary as a Christmas present. Sidney Meyer and Mitchell Wolfson owners and operators said more than 200 employees would benefit in excess of \$5,000.

Cut Bingo Price, Drop Auto Prize, Jackpots

Syracuse, N. Y.—Fitzers at least temporarily have dropped the auto giveaway and jackpots from the Bingo game at the Rivoli Theater, at the same time reducing the price from 65 to 50 cents, plus tax.

Arrow Opens With Pix

Arrow Theater at 14th St. and 2nd Avenue opened Tuesday as a picture house with "The Merry Wives," Czechoslovak film. House was formerly a legit theater.

New Quarters for Arbitration Setup

(Continued from Page 1)

conduct its regular other functions in the new headquarters which will have five hearing rooms.

The Radio City site is the first of the 31 locations to be selected for the operation of arbitration under the consent decree in the Government's equity suit.

Judge Van Vechter Veeder, chairman of the appeals board, has taken temporary office space in the Bar Association Bldg. on West 44th St., but will later move to Radio City although not in the same quarters with the AAA.

Lucius Eastman, chairman of the AAA board, explained that the reason for the shifting to larger offices was the increased use of arbitration in industry and labor, especially in relation to defense contracts.

Atlantic City Theaters Go Dark; Duals Rampant

Atlantic City—Three more local theaters have closed for the winter. The upper end of Boardwalk in Virginia Avenue section is now no man's land. Steel Pier has long since closed up, and now Virginia Theater in Virginia Ave. and Strand Theater, one block down have joined it. The Margate down-beach is also closed. Another house is expected to follow suit.

Avenue picture houses are stabling blindly for business with the double-feature firmly entrenched for the first time in the resort's film history. The Embassy, the Colonial, the Astor, Hollywood, and Cinema are all playing duals mid-week.

Lumiton Will Produce 12 Features Next Year

Buenos Aires (By Air Mail)—Lumiton has announced a program of 12 features for next year. Shooting on two has been completed and another is in production. The Brazilian Government will support one picture, a historical film, "Embrujo," to be directed by Enrique T. Sustaini in Spanish and Portuguese versions.

Radiolux to Distribute Mono. Pix In Argentine

Buenos Aires (By Air Mail)—Radiolux, former Argentine distributor for RKO Radio, will handle Monogram product in the La Plata countries. Company has been distributing French films during the past few years.

"Justice for All" to Metro

West Coast Bureau of THE FILM DAILY Hollywood—"With Justice For All," an original story by James Ansen, has been added to the Metro's list of story properties now being assembled for 1941 production.

COMING and GOING

BEN GOETZ has returned to the Coast after a one-day stay here.

ROUBEN MAOULIAN is in Mexico City to film background scenes on 20th-Fox "Blood and Sand."

VICTOR MATURE is in Boston.

LAURENCE OLIVIER and his wife, VIVIAN LEIGH, are here from the Coast.

NORMAN CORWIN is here from the Coast for the holidays.

GLEN IRETON, of Warners exploitation department, is in Toronto.

J. CARLOS BAVETTA, managing director in Brazil for 20th-Fox, leaves Rio in the next few days by plane for New York.

ED RUGOFF, of Rugoff and Becker, is vacationing in Miami.

TAY GARNETT is here from the Coast for a vacation.

BURGESS MEREDITH flies to the Coast today.

PETE DEFazio, Warner exchange salesman, New Haven, is vacationing in his home town, Pittsburgh.

ERROL FLYNN arrived in New York Tuesday by plane from the Coast.

JOCK LAWRENCE, public relations director of the producers' association, arrived back in Hollywood from New York on Tuesday.

BILL BOYD, with a company of 30, starts a p.a. tour of Western and Mid-Western towns after the first of the year.

GLORIA JEAN is back in Hollywood after a p.a. tour embracing 17 cities.

Nazi Newsreels Reach So. America via Japan

Boston—German newsreels are now being shipped to South American countries by way of Japan, it was stated at the week-end by Manuel P. Rodriguez, upon his arrival here from Europe. Rodriguez is film editor of Buenos Aires newspaper.

Conn. Allied Will Meet Jan. 7 on Legislation

New Haven—Allied Theater Owners will meet on Tuesday, Jan. 7, at the Hofbrau Haus. As the meeting is on the eve of the opening of the state legislature, it is expected discussion of legislation will be the major portion of the agenda.

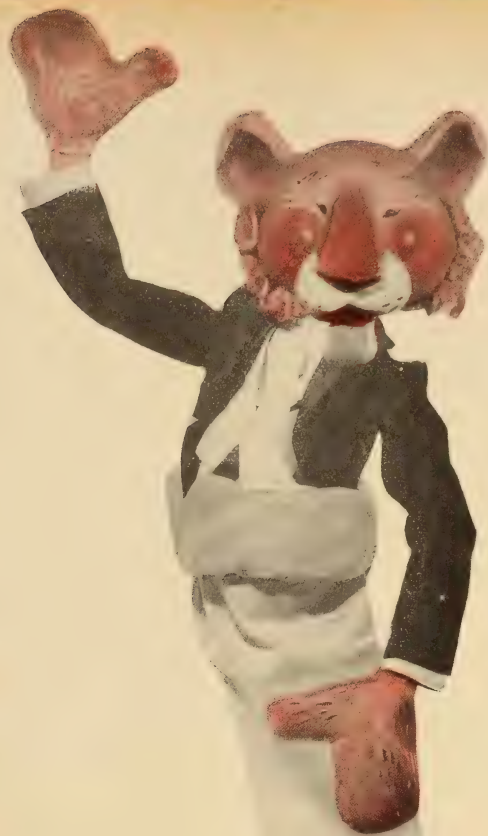
200 at Schine Party

Rochester—Annual Schine Christmas party for employees was held at midnight Wednesday at the Terrace Gardens. Two hundred attended.



FROM THE FILM DAILY to

Mort Blumenstock
Charles Alicoate

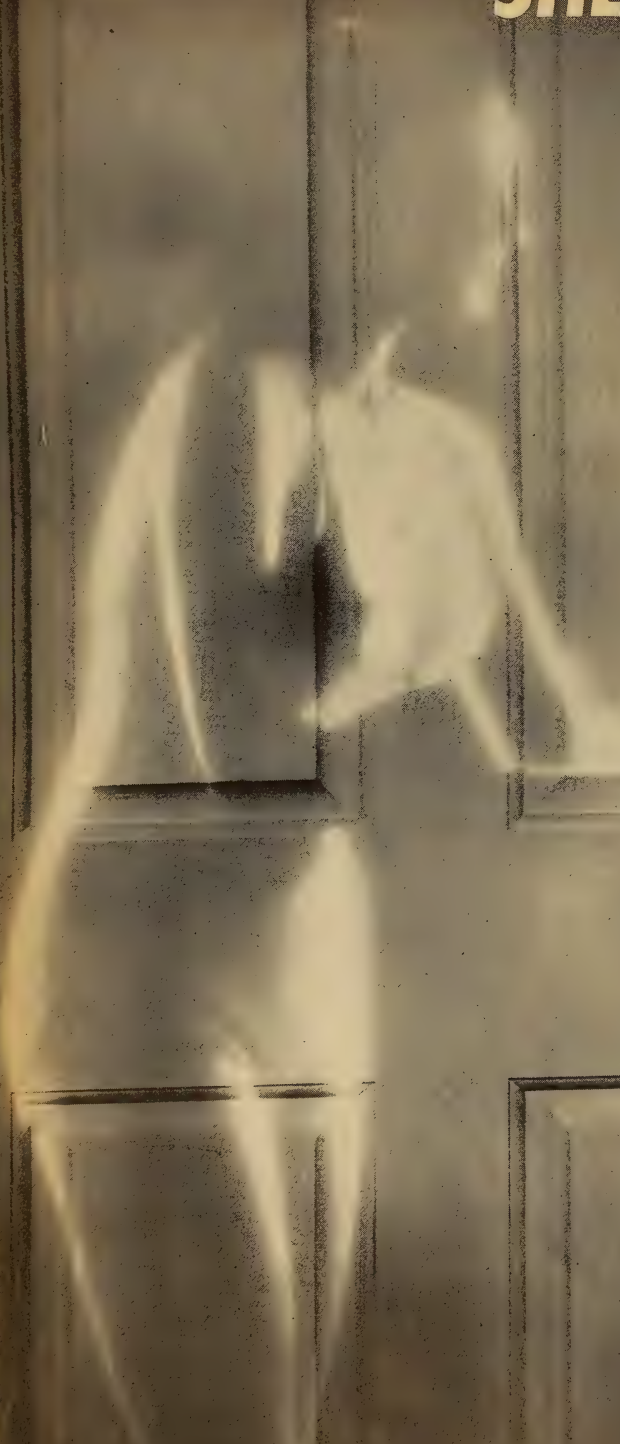


FULL OF GOOD THINGS!

CLARK GABLE, HEDY LAMARR in "COMRADE X" • ROBERT TAYLOR in "FLIGHT COMMAND" • CARY GRANT, KATHARINE HEPBURN, JAMES STEWART in "PHILADELPHIA STORY" JAMES STEWART, HEDY LAMARR in "COME LIVE WITH ME" "ANDY HARDY'S PRIVATE SECRETARY", LEWIS STONE, MICKEY ROONEY • GREER GARSON, WALTER PIDGEON in "BLOSSOMS IN THE DUST" (Technicolor) • WALLACE BEERY in "THE BAD MAN" • WILLIAM POWELL, MYRNA LOY in "MR. CO-ED" • SPENCER TRACY, MICKEY ROONEY in "MEN OF BOYS TOWN" • JAMES STEWART, JUDY GARLAND, HEDY LAMARR, LANA TURNER, TONY MARTIN in "THE ZIEGFELD GIRL".

"May your Christmas stocking overflow with bounties all of 1941"
The Friendly Company

SHE'S NOTHING



**THE DOOR OPENS TO
THE MOST EXCITING
POSSIBILITIES IN
THE HISTORY OF
MOVIE EXPLOITATION
.....HEADED FOR
MASS ATTENDANCE
IN 10,000 THEATRES
RUN BY WIDE-AWAKE
SHOWMEN THROUGHOUT
THE COUNTRY!**

**DON'T WAIT /
DATE !!**

**DEC. 27th National
Release**

— BUT PURE BOX-OFFICE LURE!



"THE INVISIBLE WOMAN"

starring **VIRGINIA BRUCE • JOHN BARRYMORE**
JOHN HOWARD • CHARLIE RUGGLES • OSCAR HOMOLKA
with Edward Brophy • Donald McBride • Margaret Hamilton

Screen Play by
Robert Lees • Fred Rinaldo • Gertrude Purcell
Original Story by Kurt Siodmak and Joe May

Directed by
A. EDWARD SUTHERLAND
Associate Producer, Burt Kelly

A UNIVERSAL PICTURE



Exhib. Decree Co-op. Talk "Nonsense"

(Continued from Page 1)

hands of the American Arbitration Association with any exhibitor co-operation or participation other than submitting complaints strictly forbidden, he writes.

Despite various protests, the important parts of the decree do not become operative for six or eight months, Kuykendall says, and in the meantime, the three other defendants stand trial and continue to fight the case. "What will happen on that nobody knows," he concludes.

As to arbitration, Kuykendall continues to favor conciliation as a means of settling disputes. In this regard, he states that "it is quite possible that the decree can open the door to a much more effective use of organized conciliation than has been possible in recent years. Its possibilities are certainly worth exploring and should receive serious and careful consideration by every regional association of theater owners who want to work out their problems at home in their own way, rather than having them decided for them in New York.

Ohio Court's Decision Fails to Solve Game Issue

(Continued from Page 1)

the Troy Amusement Co., preventing Troy officials from enforcing statutes applying to a lottery.

Specifically, the Court pointed out that a criminal statute could not be tested in injunction proceedings, making its decision upon the grounds that an injunction would not be the proper remedy.

To test the legality of Bank Night under the Ohio lottery law will require an arrest and appeals through lower courts up to the highest tribunal, it was stated.

Judge Arthur H. Day, retiring member of the court, dissented from the six-Judge majority opinion.

WEDDING BELLS

Marriages of Peter J. LaBarbera and Lewis Hilton to Emma Prisco and Edith Lemlich, respectively, were announced Tuesday. LaBarbera and Hilton have been members of the Copyright Protection Bureau for many years.

Scranton, Pa. — Engagement of Helen R. Comerford, daughter of Mrs. Michael B. Comerford and the late head of the Comerford Theaters, to Francis F. Egan of Pittston, Pa., is announced.

Towanda, Pa. — Marriage last February of James Tuffy, manager of the Keystone Theater, to Ann Flynn is now announced.



● ● ● TRUTH to tell....this corner doesn't remember The Alamo....with the same lively interest....as some other events in the Lone Star State....For example....there's the annual Ten Best Pictures poll....conducted by the San Antonio Evening News....and tied-in co-operatively with the national poll of THE FILM DAILY....Down in that Texas community and its environs....despite its current metropolitan character....the manner and means of branding a longhorn is a perpetuated art....and it seems that folks have the knack....of branding with equal facility....the qualities of a motion picture.....

● ● ● SAN Antonio's busiest and most prominent "branding iron"....is in the hands of a professional cinema appraiser....Mary Louise Walliser, Evening News Film Reviewer....and both she and her readers....have now completed their balloting on 1940's Ten Best....The results are interesting....for a number of reasons....not the least of which is that in the 1939 poll....the readers of the San Antonio Evening News....selected exactly the Ten Best as later voted nationally by all the participating film editors and critics of the Fourth Estate....Only one other such feat equaled it in 100 per cent accuracy....and that was out Cleveland way....Can San Antonio repeat the performance?.....

● ● ● WELL, first-off, here are the 1940 Walliser selections:.....
(1) Rebecca, (2) Foreign Correspondent, (3) Boom Town, (4) Knute Rockne—All American, (5) The Grapes of Wrath, (6) The Great McGinty, (7) Ninotchka, (8) Dr. Erlich's Magic Bullet, (9) The Mortal Storm, and (10) All This and Heaven Too....And here are the readers' choices:.....
(1) Boom Town, (2) Rebecca, (3) All This and Heaven Too, (4) The Grapes of Wrath, (5) Northwest Passage, (6) Knute Rockne—All American, (7) Edison the Man, (8) The Mortal Storm, (9) Our Town, and (10) Foreign Correspondent....Lightning has been known to strike twice in the same place....and the Lone Star moviegoers have an uncanny way with them....of tracking down the standout four-star productions.....

Minnesota, Minneapolis, Reopening New Year's Eve

Minneapolis, Minn. — Definite announcement the Minnesota, largest, pix house in the northwest, would reopen on New Year's Eve with a picture-stage show policy has been made here by Middle States Corp. of Milwaukee.

Deal for the house, made with the Minneapolis Theater Co., is said to involve a lease to April 30, 1945, with minimum rental of \$1,000 a week. A creditors' meeting is set for Dec. 28 to give final approval.

Opening bill will have Ken Murray heading the stage show, with "Hit Parade of 1941" on the screen.

Livingston Lanning, formerly with Loew's and Warner's, will be house manager.

"Bagdad" in Charity Bow

London (By Cable)—British Ambulance Corps gets their first day's receipts when Korda's "Thief of Bagdad" opened here Christmas Day.

No Movies In Worcester Places Serving Liquor

Worcester, Mass. — The License Commission here has banned movies in establishments serving liquor.

The Commission based its decision on a Law Department ruling that such showings were illegal, although Chairman Roland S. G. Frodigh said the board had been of the opinion that movies violated the law prior to the ruling.

Mr. Frodigh pointed out that rules governing operation of liquor places required that they be well lighted, which, he said, would not be possible during the showing of motion pictures.

Neilson, Dance Educator

Rutgers Neilson, publicity manager for RKO Radio, has been elected an associate member of the Dance Educators of America. Election came as a result of Neilson's activities in dance promotion tie-ups on pictures over a period of years.

"Patient" Arbitrators Sought for Industry

(Continued from Page 1)

those who have been drafted by the American Arbitration Association rather than those who come seeking a job.

The mere fact that a prospect is a good business man will not be sufficient, it was learned. An arbitrator must have the patience to sit through long sessions and absorb every detail of an argument. These qualities, it was said, are sometimes difficult to find and in most cases the men selected will be those who have been recommended by Chambers of Commerce and similar organizations.

Committee Will Govern Halifax Sunday Shows

(Continued from Page 1)

Officer Gavin Creed, for the Air Force; Capt. Alistair McKinnon, for the Army; G. S. Kinley, of the City Council and J. W. Godfrey, of the general committee which pushed through the measure.

The Catholic Archdiocese of Halifax has been co-operating on the plan, which allows service men and one adult companion to attend the shows, but opposition has been shown by the Ministerial Association which has kept aloof from negotiations since the City Council passed the plan 14-2.

The Provincial Government has the power to quash the measure but is not expected to act inasmuch as the provincial attorney general participated in the conferences.

NBC Will Broadcast Pix Awards of N. Y. Critics

(Continued from Page 1)

tors will be heard from the Rainbow Room Sunday, Jan. 5, from 6:05 to 6:30 p.m., EST, over the NBC-Blue Network. Crowther, film critic of the New York Times, is president of the organization which meets tomorrow to make its annual selections.

STORKS!

Chicago — Mort Singer, III, has been added to one of Chicago's oldest theatrical families. A son was born to Mort Singer, 2nd, who is an associate producer at Universal. Mort Singer heads the RKO-Mor Singer circuit with headquarters here.

Miami — Harvey Fleischman, manager of the Wometco Strand Theater, is the dad of a new son, Robert Ira.

Wilkes-Barre, Pa. — A son was born to Mr. and Mrs. Kenneth Thomas. Father is operator at the Strand.

U. K. Remittance Pact Said Signed

(Continued from Page 1)

tion discussions ended in a deadlock, due to the reported insistence of one company that its apportionment be based differently.

Clause stipulating that money earned in this country by pictures produced by American distributors at Great Britain must be remitted to England has been dropped from the new agreement.

Remittance figure stands at \$12,900,000, as earlier reported. Total was boosted to that sum after lengthy negotiations to meet the situation presented by the inclusion in the agreement of Universal.

Indiana Exhibs. Sue To Recover on Double Tax

(Continued from Page 1)

called "percentage" films was filed Tuesday in Superior Court.

The suit, filed by members of the Associated Theater Owners of Indiana, Inc., asks that the state gross income tax division be required to reimburse more than 60 theaters for the tax which they claim has constituted a double tax, as both the theater and the film distributor have been paying on the same box-office admissions.

By agreement, the case will be appealed to the State Supreme Court for a final ruling after the lower court makes its ruling. Jacob Weiss, counsel for the theater owners, said the taxes involved amount to more than \$100,000.

Monogram to Distribute Texan Documentary

Dallas—"The Cavalcade Of Texas," documentary of the state's history and achievements as well as its present-day industries, cities and schools, will be distributed nationally by Monogram, it has been announced by John L. Franconi, branch manager for Monogram here. In addition to theatrical distribution, the Texas World's Fair Commission is having prints made in 16 mm. for distribution in schools, etc. Karl Hoblitzelle, circuit owner, was instrumental in fostering the production of the film. It was filmed by James A. FitzPatrick in Technicolor.

"Swing Parade" Stays 3 Weeks In Mexico City

Mexico City (By Air Mail)—Universal's "Swing Parade" shattered all records at Luis Castro's Palacio Chino. The Deanna Durbin starrer played three weeks, longest run to be scored at the year-old house.

Shepler in Syracuse

Syracuse, N. Y.—Wayne Shepler, formerly assistant manager at the Penn, Ambridge, Pa., is the new assistant at the RKO Schine Eckel.

Preview Audience to Select Lloyd Ending

Harold Lloyd has shot two endings to his production, "A Girl, A Guy and A Gob." Whichever ending gets preference from preview audiences will stay in the released version. One ending has the fadeout with Lucille Ball and George Murphy finding happiness together. The second ending gives Lucille to the "rich guy," Edmond O'Brien.

Ascap Is Declared Illegal Combination

(Continued from Page 1)

missed Ascap's petition for an injunction.

Ascap contended the law was unconstitutional. The act made it illegal for separate copyright owners to pool their copyrights in order to fix prices, collect fees and issue blanket licenses.

"The fact is," the opinion said, "Ascap has acquired power to fix prices. We think that is sufficient."

Ascap is expected to carry the case to the U. S. Supreme Court.

"Flight from Destiny" On Oboler's Air Show

West Coast Bureau of THE FILM DAILY

Hollywood—Warners' "Flight From Destiny," will be broadcast in a half-hour dramatization over Arch Oboler's NBC red network program on Jan. 10, with Thomas Mitchell of the cast starring. This is the first time that Oboler has used a film script as the basis for one of his programs.

Film is also going to receive special notice on five noon-time Coast-to-Coast programs sponsored by Procter & Gamble beginning Jan. 5.

Rites for Mrs. Ruttenberg

Funeral services were held on Tuesday for Mrs. Celia Ruttenberg, mother-in-law of Rube Jackter, Columbia's assistant sales manager. She is survived by four children, Mrs. Augusta Jackter, Morris Ruttenberg, and Louis and Irving Ruttenberg.

Rollston Convalescing

E. H. Rollston, operator of the Strand, Seymour, Conn. is convalescing at home after two months in the Ansonia Hospital.

Mrs. Samuel Rosen Recovering

Mrs. Samuel Rosen, of Rosen Film Delivery, New Haven, is recuperating from an operation at New Haven Hospital.

Hawks to Direct "Dinner"

Hollywood—Because Broadway activities will keep George S. Kaufman and Moss Hart in the East, film version of "The Man Who Came to Dinner" will be directed by Howard Hawks.

Greater Attendance Held Local Problem

(Continued from Page 1)

zations should encourage studies of this problem and arrange for the exchange of information between exhibitors, together with the results of experiments in trying to develop business in this untapped market, which is right at home in every community," Kuykendall writes.

The MPTOA bulletin points out that about 25 per cent of the population cannot go to theaters for various reasons, which leaves about 25 per cent of the people in every community who are physically and financially able to go to the movies if they want to but don't go because "we have not been able to interest them in motion picture entertainment."

In regard to the ruling of the Bureau of Internal Revenue which requires that an adult tax must be collected on special priced tickets Kuykendall declares that "MPTOA believes it is unfair as it now stands and should be changed, and we will try to get such an amendment considered by Congress."

Kuykendall also urges the strengthening of exhibitor organizations to protect their interests in the face of possible discriminatory increased taxes as the legislatures of 41 states prepare to convene in 1941. Other legislation, he says, includes all sorts of proposed requirements, restrictions and regulations specially designed for theaters; two-men-in-a-booth laws, censorship bills and licensing requirements.

Van Dyke Given Leave To Direct Metro Pix

West Coast Bureau of THE FILM DAILY

Hollywood—Maj. W. S. Van Dyke, II, has been granted a leave of absence from his Marine Corps duties at San Diego, to direct Metro's "Rage in Heaven."

Col. Borrows James Hogan

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia has borrowed James Hogan from Paramount to direct the next Ellery Queen picture, "The Three Scratches."

Col. Buys "Mr. Twilight"

West Coast Bureau of THE FILM DAILY

Hollywood—Columbia has acquired "Mr. Twilight," a story by Sidney Armon dealing with a Supreme Court judge who finds out at first-hand about the problems he has been settling as matters of legal theory. Everett Riskin will produce.

William L. Wilson, Jr., Dead

Waycross, Ga.—William L. Wilson, Jr., manager of the Lucas & Jenkins theater here, is dead. He is survived by his widow and two children.

«REVIEWS»

"Victory"

with Fredric March, Betty Field, Sir Cedric Hardwicke

Paramount (HOLLYWOOD PREVIEW) 78 Mins.

GRIPPING AND EXCITING PICTORIZATION OF CONRAD NOVEL PACKS THRILLS GALORE.

Joseph Conrad's famous novel proves as screen-worthy as it did in the silent days, and under John Cromwell's direction, the picturization is at all times gripping and exciting. Cromwell has provided a tempo that holds the interest from the start and never lets the suspense lag. To Anthony Veiller goes much credit for the fitting production values. John L. Balderston concocted a thrilling screenplay. Leo Tover's photography is very commendable.

The acting is of the very best. Fredric March is highly effective as the lonely islander, who rescues Betty Field from Sig Rumann and takes her to his home. Betty does very well in a dramatic role, while Sir Cedric Hardwicke creates a new type of menace as a suave leader, who hates women. Jerome Cowan, in his biggest role to date, gives an outstanding performance as Hardwicke's chief henchman, quick with his knife. Rumann is convincing in his part, and Fritz Feld, Lionel Royce and Margaret Wycherly are among the able principals.

When Rumann buys her contract as a pianist from Feld, Betty is convinced his intentions are not honorable and persuades March to rescue her and take her to his island home. Rumann, determined to have revenge on March, tells Hardwicke that March is very rich and has much money hidden on his island. Hardwicke, Cowan and their silent, but giant Royce, set forth for the March domicile. Cowan becomes friendly with Betty, who pretends to like him. When Cowan becomes ardent in his love-making, Betty uses a knife to slay him. In a thrilling gun duel, March kills Hardwicke.

CAST: Fredric March, Betty Field, Sir Cedric Hardwicke, Jerome Cowan, Sig Rumann, Margaret Wycherly, Fritz Feld, Lionel Royce, Rafaela Ottiano, Chester Gan.

CREDITS: Producer, Anthony Veiller; Director, John Cromwell; Author, Joseph Conrad; Screenplay, John L. Balderston; Cameraman, Leo Tover; Musical Score, Frederick Hollander; Editor, William Shea.

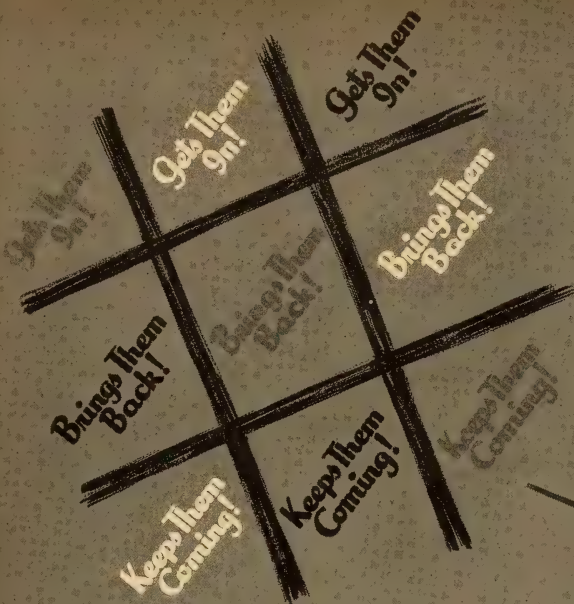
DIRECTION, Corking. PHOTOGRAPHY, Commendable.

RKO's Wein Heads Local B-5

Cleveland—Newly elected officers of Film Exchange Employees Local B-5 are: president, J. C. Wein, RKO; business agent, J. C. Krupka, Paramount; recording secretary, Grace Rice, 20th-Fox; financial secretary, Irving Sears, Warners. Executive board consists of: J. K. Johnson, Columbia; Gertrude Sweet, Columbia; George Sendry, Paramount; Charles Rice, 20th-Fox; Pearl Geib, Warners, Henry Fosender, 20th-Fox, and Edward Kelly, 20th-Fox.

Rosenfield With Disney

Jonas Rosenfield, Jr., formerly with the Warner ad department, is now handling ad. copy under Hal Horne for Walt Disney Productions.



You Win!

- No matter which way you look at it you win if you properly advertise your pictures and your theatres.
- The moth is attracted to the flame... people are attracted by color... beauty and display... that's why business paints its store fronts... buildings have their faces lifted.
- **Dress up... look well... change your act!** That's the watchword of this streamlined age... the watchword of modern merchandising... one of the most important avenues to increased business... Show Business too...
- And right here at hand... in one centralized spot you've got the class of the dress-up... seat-selling theatre advertising... TRAILERS... LOBBY DISPLAYS... STANDARD ACCESSORIES... a co-ordinated whole ready and waiting to do its stuff for you.
- Use it... take advantage of our experienced, expert organization to sell seats for your theatre and your show.

**NATIONAL *Screen* SERVICE • NATIONAL *Screen* ACCESSORIES
ADVERTISING ACCESSORIES, inc.**

THE Film DAILY

Intimate in Character
International in Scope
Independent in Thought

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 125

NEW YORK, FRIDAY, DECEMBER 27, 1940

TEN CENTS

ASCAP WILL FACE U.S. CRIMINAL ACTION Post-Christmas Rush At Broadway's Box Offices

Holiday Period Brings Top Business to New York's Motion Picture Theaters

Broadway theaters had one of the biggest Christmas day crowds in history and the momentum of the rush carried over to yesterday.

The Music Hall, with RKO's "No, No, Nanette," accommodated crowds that were 10 per cent bigger than last Christmas when patronage also was near record-breaking. Opening yesterday with Metro's "The Philadelphia Story," the Music Hall was heading for a record opening day.

(Continued on Page 6)

Court Orders Briefs In Ore. Game Battle

Portland, Ore.—Counsel for the Rainier Theaters Corp. and Multnomah County have until Jan. 16 to file briefs with Circuit Judge Alfred P. Dobson following arguments on a demurrer to the corporation's complaint which seeks to permanently

(Continued on Page 3)

Daniel Frohman Rites Will Be Held Monday

Funeral services for Daniel Frohman, 89, president of the Actors Fund of America and its sole survivor,

(Continued on Page 6)

Argentina Slaps Ban On WB's "Nazi Spy"

Buenos Aires (By Cable)—"Confessions Of A Nazi Spy," a Warner film, was banned here yesterday by the Government one day before it was scheduled to open. Picture had been previously banned by the municipal censors but lengthy negotiations had finally succeeded in getting approval for release under another title. Official reason given for the sudden about face was that the pix was harmful to a country with which Argentina maintained friendly relations.

MAY LEGALIZE BEANO, BINGO

New Mass. Solon Hoppers

Bill; 37½% Taxes

Boston—If Rep.-elect Edward McCarthy of Chelsea has his way, Beano and Bingo will become legalized in film theaters in Massachusetts, and the Commonwealth will profit thereby just as it now does from pari-mutuel betting at horse and dog racing tracks. State supervision of such games of chance under a system that would contribute 25 per cent of the "handle" to municipalities and 12½ per cent to the Commonwealth is proposed in a bill filed. Under the provisions of the new legislator's bill, the regulation of such games would come under the supervision of the State Racing Commission.

Community "Sings." B & K Answer to Ascaph Impasse

Chicago—To cope with the situation presented by the Ascaph-radio impasse, B & K circuit is starting community "sings" in the Loop State Lake theater. Other B & K houses are expected to follow, while the plan also may be adopted by the Great States circuit for down state spots.

B & K idea is to utilize Ascaph.

(Continued on Page 3)

Gains Offset Foreign Losses 1941 Attendance to Surpass 1940's, Says Poor's

Tru-Color Corp. Formed With \$500,000 Capital

San Francisco—Articles of incorporation have been filed by Tru-Color Corp., a \$500,000 San Francisco concern organized to make motion and still pictures in color. The new company has been authorized to issue 500,000 shares of stock.

(Continued on Page 3)

Sherman Act Suit to be Filed in Milwaukee After Jan. 1 Will Also Name BMI and NBC and CBS as Defendants, Department of Justice Statement Reveals

By MILTON F. LUNCH Washington Bureau of THE FILM DAILY

Washington—Criminal proceedings under the Sherman Anti-Trust Act against Ascaph, BMI, NBC, and CBS will be brought by the Department of Justice after the first of the year in Milwaukee, the Justice Department announced today.

Attorney General Robert H. Jackson announced that he has authorized Thurman W. Arnold to bring the action. The criminal charges will be based on the following grounds the D of J statement said:

Grounds of the Action

1—The illegal pooling of most of the desirable copyright music

(Continued on Page 8)

Rules Des Moines Can Regulate Game

Des Moines, Ia.—The city council has the power to regulate Bank Nights "in all matters reflecting the public interest" it was ruled today by City Solicitor Fred T. Van Liew in an opinion requested following receipt of a petition asking for new registration lists.

The petition had been signed by 200 persons and asked that the City Council pass an ordinance requiring operators to destroy the present

(Continued on Page 7)

Film Alliance Suing GB, Ostrer on Film Contract

Gaumont British Pictures Corp. of America and Isidor Ostrer, an officer, were named defendants yesterday in suits brought against them in the New York Supreme Court for \$100,000 damages against each by Film Alliance of the U. S., Inc., on charges that the defendant refused

(Continued on Page 7)

"Little 3" Will Ask Griffith Elimination

United Artists, Universal and Columbia are preparing papers which will seek their elimination as defendants in the Government equity action against the majors and the Griffith circuit as a test for similar appli-

(Continued on Page 3)

Broadway Show Window For Documentary Films

A non-theatrical film theater to operate as a Broadway show window for documentary and education-

(Continued on Page 8)

Station WHN Pacts With Ascaph Undecided

Whether Station WHN will sign a new contract with Ascaph is still undecided, although negotiations are under way. There is a possibility that WHN will break away from Ascaph, even though the station is controlled by Loew's, Inc., which has signed a new Ascaph pact. It was said yesterday that the decision rested with Ascaph's willingness to grant certain demands.

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DONALD M. MERSEUR : General Manager
CHESTER B. BAHN : : : Editor

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FINANCIAL

(Thursday, Dec. 26)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
Am. Seat.	52 1/2	52 1/2	53 1/2	+ 1 1/2
Col. Picts. vtc.	24 1/2	24 1/2	24 1/2	0
Columbia Picts. ptd.	24	24	24 1/2	+ 1/2
Con. Fm. Ind.	133 1/2	132 1/2	133 1/2	+ 1/2
Con. Fm. Ind. ptd.	133 1/2	132 1/2	133 1/2	+ 1/2
East. Kodak	133 1/2	132 1/2	133 1/2	+ 1/2
do ptd.	133 1/2	132 1/2	133 1/2	+ 1/2
Gen. Th. Eq.	12	11 1/2	12	+ 1/2
Loew's, Inc.	31 1/2	30 1/2	30 1/2	- 1/2
do ptd.	31 1/2	30 1/2	30 1/2	- 1/2
Paramount	10 1/2	10 1/4	10 1/4	- 1/4
Para. 1st ptd.	96 3/4	96 3/4	96 3/4	0
Para. 2nd ptd.	10 1/4	10 1/4	10 1/4	0
Pathe Film	9 1/2	9 1/2	9 1/2	0
RKO	3 1/2	3 1/2	3 1/2	+ 1/2
RKO 36 ptd.	42 1/2	42	42 1/2	+ 1/2
20th Century-Fox	6 1/2	6 1/2	6 1/2	0
20th Century-Fox ptd.	17 1/4	17 1/4	17 1/4	+ 1/2
Univ. Pict. ptd.	115	114 3/4	115	0
Warner Bros.	3 1/2	3	3	- 1/2

NEW YORK BOND MARKET

Keith B. F. ref.	6 1/4	6 1/4	6 1/4	0
Loew's deb.	3 1/2	3 1/2	3 1/2	0
Para. B'way 3555	93 1/4	93 1/4	93 1/4	+ 2
Para. Picts. cv.	95 1/4	95 1/4	95 1/4	+ 1
Warner Bros. deb.	95 1/4	95 1/4	95 1/4	0

NEW YORK CURB MARKET

Monogram Picts.	1 1/4	1 1/4	1 1/4	0
Sonotone Corp.	9 1/2	9 1/2	9 1/2	+ 1/2
Technicolor	9 1/2	9 1/2	9 1/2	+ 1/2
Trans-Lux	5 1/4	5 1/4	5 1/4	0
Universal Corp. vtc.	5 1/4	5 1/4	5 1/4	0
Universal Picts.	14 1/4	14 1/4	14 1/4	- 3/4

N. Y. OVER-THE-COUNTER SECURITIES

Met. Playhouse, Inc.	2nd deb.	45	65 1/2	67 1/2
Roxy Thea. Bldg.	4s 1st	57	61	63 1/2

F. W. Stain Dies on Coast

Pasadena, Calif.—Fred W. Stair, former Canadian theater man, died here.

Loew's Opens American, East Bronx 2,000-Seater

Loew's newest theater in the Metropolitan area, the American, opened yesterday in Hollywood style, with a parade and a flag-raising ceremony attended by a score of notables. The 2,000-seat house is in the Parkchester development in the East Bronx.

Among those present at the opening were Postmaster Albert Goldman, Monsignor Arthur J. Scanlan, Frank Lowe of the Parkchester development, and from Loew's home office, C. C. Moskowitz, Marvin Schenck, Oscar Doob and Ernest Emerling.

Keith Morgan to Coast For Schenck's Luncheon

Keith Morgan, national chairman of the Committee for the Celebration of the President's Birthday, arrives in Chicago from New York today en route to Los Angeles where he will attend the organization meeting for the State of California to be held at the Biltmore Hotel on Jan. 3. This luncheon is being given by Joseph M. Schenck, chairman of the board of 20-Fox, who is vice-chairman of the campaign and also State chairman for California.

Georges Rony Eludes Nazis, Arrives Here

Georges Rony, who owned the largest library of historical films in France, has arrived in this country after fleeing Europe. As the producer of several propaganda pictures, Rony was "wanted" by German authorities but managed to make his escape with his wife and 10-month-old daughter. Rony headed Rony Films and Telefilms in France and produced the first pictures for television. His library, containing more than a million feet of film, is hidden in France.

Nathan Furst is Named Mono. Manager in Boston

Boston—Nathan Furst has been named Monogram branch manager here, succeeding Steve Brody who has been appointed general sales manager. Furst has been a Monogram salesman in New Haven and Boston since 1937. He formerly was a branch manager for Fox, Pathe and Warner Bros. in New Haven.

St. Louis Variety Club Gives British Ambulances

St. Louis—Local Variety Club has raised funds to provide two ambulances for the British-American Ambulance Corps. Solicitation continues to add a third. Harry C. Arthur, Jr., is chief barker.

"Miss Bishop" Premieres In Lincoln Jan. 14.

Date for the World Premiere of Richard A. Rowland's new United Artists release, "Cheers For Miss Bishop," is Jan. 14 and the place Lincoln, Neb. The first showings will take place on that evening simultaneously at three theaters—the Stuart, the Nebraska, and the Lincoln. Martha Scott, William Gargan, Mary Anderson and Marsha Hunt, leading members of the cast, and Tay Garnett, director of the production, will lead a large contingent of Hollywood personalities to Lincoln for the event.

The premiere at the Nebraska capital will have the active support and co-operation of the University of Nebraska, State officials and the local community organizations.

Raft Set to Make Feature Each for WB, RKO and "U"

Boston—George Raft, here for a p.a. at the RKO Boston, insists that he's not at odds with Warners, despite Coast reports. In declining to appear in "South of Suez," Raft says he was merely exercising contract privileges. Pointing out that he picked "They Drive at Night," "Each Dawn I Die" and "House Across the Bay" as vehicles, Raft stated he felt he had demonstrated his capability of determining suitable material.

Raft, who returns to Hollywood after his engagement here, says he is slated to make "The Dealer's Name Was George" for Warners. "Wrapped in Cellophane" for RKO Radio and "Tango" for Universal.

Shut Ealing Studios Month To Dodge Flu Epidemic

London (By Air Mail) — Feature production at the Ealing studios will shut down in January in an effort to dodge the annual January film epidemic, it was announced by Major Reginald Barker. Production will resume, however, on Feb. 1.

Before closing the studios, work will be completed on the new George Formby comedy, based upon the stage hit, "As You Were," film title for which has not yet been selected. On Feb. 1 production is expected to resume on a navy airplane feature, sea exteriors of which have already been shot.

Agnes Ayres, Silent Film Star, Dies on the Coast

West Coast Bureau of THE FILM DAILY — Hollywood — Agnes Ayres, 42, silent screen star, died on Christmas Day of a cerebral hemorrhage. A daughter, Maria, survives.

Miss Ayres was a native of Carbondale, Ill., and was educated in Chicago where she broke into films as an extra at Essanay. Later, she played for Vitaphone and then was placed under contract by Paramount. She skyrocketed to popularity opposite Valentino in "The Sheik."

COMING and GOING

WILL HAYS returns this morning from Indiana. WILLIAM F. RODGERS leaves today for the Coast.

LOU POLLOCK, Eastern publicity and advertising matter for Universal, leaves tonight for Hollywood to spend two weeks at the studio.

H. M. RICHEY leaves for the Coast shortly after the first of the year.

JEROME CHODOROV, writer, is here from the Coast for a vacation.

E. W. HAMMONS returns today from upstate New York where he spent Christmas.

ALFRED E. GREEN, Columbia director, is in Washington.

HARTZELL SPENCE, author of "One Foot In Heaven," will go to the Coast next month for confabs with Warner execs. on production of the film based on the book.

RED SKELTON has left for the Coast. CLARK GABLE and CAROLE LOMBARD are en route to Baltimore from the Coast.

45% of Mono. Program Of 42 Features Ready

Forty-five per cent of Monogram's announced program of 42 pictures have been completed, President W. Ray Johnston announced from the Coast yesterday. All releases up to the end of January, 1941, have been delivered, marking a new high in production achievement for the company. The list includes 12 regular features, five in the "Range Busters" series and two Tex Ritter outdoor dramas.

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Most Outstanding Downtown Hotel

home of the
PERSIAN ROOMVisit the world
famous Persian
Room and enjoy
dinner dancing to
the nation's lead-
ing orchestras.

Rates From \$4 up, Daily

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A C A PRODUCTION ROOM-FILM STORAGE
FILM EXCHANGE DISTRIBUTION SERVICE

Court Orders Briefs In Ore. Game Battle

(Continued from Page 1)

enjoin the county authorities from interfering with Silver Quiz contests in three local theaters. Meanwhile, a temporary restraining order, will remain in effect until the issue is decided by the court.

John C. Kendall, attorney for KGW and KEX radio stations, and Harvey Benson, attorney for KOIN and KALE stations, appeared as friends of the court and their requests to file briefs were granted. They pointed out that the determination of this case might have some effect on some radio quiz programs on the national networks.

It was contended by Multnomah County that the question-and-answer contests conducted by the theaters are lotteries in violation of the state anti-lottery laws. Further, that opportunities to win a prize depends not on the question asked, but upon the number drawn.

Community "Sings," B & K Answer to Ascap Impasse

(Continued from Page 1)

controlled music which either is already off the air on sustaining programs or will go off on Jan. 1 when the Ascap contracts with radio expire.

Plan obviously permits the plugging of films via songs or music from their scores, as in the old illustrated song days of the screen.

B & K execs, however, are said to feel that the plan's objectives go beyond that. They envisioned the community "sings" to organ accompaniment filling the gap left by the exit of Ascap tunes from the air.

D. W. Reilly Dies In Crash

Lorain, O.—Donald W. Reilly, 27, manager of Warners State theater, Lima, was killed when his automobile crashed into a utility pole near here.



● ● ● THE film industry which again this holiday week.....in cities and towns across the country.....has given unmistakable proof.....that it has a heart.....today in Hollywood.....will demonstrate as well that it has a memory.....The occasion is the dedication.....of Republic's new sound stage.....to that immortal comedienne of the screen, Mabel Normand.....A 200-pound bronze plaque on which is inscribed.....the dedicatory message.....will be placed in position.....by the main entrance of the new stage.....while executives and players.....who worked with Mabel.....look on.....The plaque was designed by J. R. Savage, widely known New York artist.....

● ● ● GUESTS of Republic Studios at the ceremonies.....are expected to include.....Ray Griffith, Eddie Cline, Lloyd Bacon, Tay Garnett, Frank Lloyd, Monte Banks, Chuck Reisner, Roy Del Ruth and Wesley Ruggles, all of whom were Keystone cops.....Frank Capra, Mrs. Darryl Zanuck (Virginia Fox), Charlie Chaplin, Harry Langdon, Wallace McDonald, Slim Sumner, Vic Potel, Andy Clyde, Del Lord, Hank Mann.....Chester and Heinie Conklin, Oliver Hardy, Gloria Swanson, Carole Lombard, Sally Eilers, Louise Fazenda, Polly Moran, Eddie Sutherland.....Wallace Beery, Dorothy Reid, Dot Farley, Jack Mulhall, Richard Wallace, Marion Nixon, Mae Busch, Vera Steadman, Edgar Kennedy.....Tom Kennedy, Minna Durfee, Helen Holmes, Erle Kenton, William Beaudine, Charlie Murray, Tom Moore.....and innumerable others.....

● ● ● SPEAKING of the industry's manifestations of the season's spirit.....Phil M. issues a citation to Harry McDonald, RKO's Boston division manager.....Ben Domingo, manager of the RKO Boston theater.....and Dave Lilienthal, vice-presy of I. J. Fox.....in recognition of the Christmas party.....given for more than 1,500 children from nearly 20 Boston institutions.....Christmas gift of Batavia, N. Y., to our metropolitan midst is Miss Venus A. Dipson, daughter of Circuit operator and Mrs. Nikitas D. Dipson, who is here to serve as receptionist at the headquarters of the Greek War Relief Fund Committee and visit the Spyros Skouras family, firm friends of her folks and self.

● ● ● AND speaking of Christmas gifts of sorts.....the Warner Club Bowling Trophy.....now rests permanently in the trophy room of the Philadelphia Warner Club.....The Sleepy City bowlers won three straight from the localities. . . ● Anent Pennsylvania, Sam and Mrs. Friedman (he's manager of the Capitol Theater in Pottsville) celebrated their 18th wedding anniversary on Christmas Eve. . . ● Yule was likewise a special day for Tom Donaldson, recently appointed M-G-M Boston manager, as the result of the Metro Pep Club tendering him a Christmas party in New Haven's Oakdale Tavern and presenting him with a magnificent cigaret case. . . ● Arrangements have been completed 'twixt Jack Coffey, graduate manager of athletics at Fordham, and Sol Schwartz, RKO Bronx division manager, whereby the Maroon eleven upon its return from Dallas will be given a rousing welcome (win, lose or draw) at the RKO Fordham Theater on Monday, Jan. 6, and pic o' the Cotton Bowl game will be shown as part of the program.

"Little 3" Will Ask Griffith Elimination

(Continued from Page 1)

cations in the Schine and Crescent suits, it was learned yesterday. The application will be argued by Edward C. Raftery, attorney for UA and Universal, in the near future.

The "Little Three" will contend that the order dropping the "Big Five" as defendants in the Griffith suit, which was recently entered in Court, makes it mandatory that the "Little Three" be dropped as defendants. The Court will be told the "Little Three" are incapable of violating the anti-trust laws on their own, and that for all purposes the suit against the majors should be terminated. It is understood that the application will not affect the Government suit against the Griffith circuit itself since it, as an exhibitor, is in a different position.

The result of the "Little Three's" application is expected to have a direct effect upon Court decisions in the Crescent and Schine cases since the situation is identical in all three. Attorneys have stated that the "Little Three" will undoubtedly press for the same relief in both the Crescent and Schine suits.

Tru-Color Corp. Formed With \$500,000 Capital

(Continued from Page 1)

at a total par value of \$500,000. Directors are listed as George H. Hotelling and Hartley F. Peart of San Francisco, and Jean C. Cleverie, Warren Millais and George Bouchard of Los Angeles.

TO THE COLORS!

Boston — Maj. Richard "Dick" Sears, veteran and dean of all the newsreel men in New England, has been called to active service in Washington.

Chicago — Warner circuit reports more employes joining the colors, Deane Malmé of the Rialto, Racine, and Engineer Edward Sargent of the State Theater, Racine, are now located at Fort Bragg. Earl McGee, Lexington, Chicago, is now at Maxwell Field, Montgomery, Ala. Weyman Merrill, Odgen Theater, Chicago, is with the Army Signal Corps in South Carolina, Chris Kuris of the Avalon Theater is at Fort Snelling, Minn.

Chicago — Sam Todd, in charge of film inspection division of the Chicago Electrical Bureau, has been commissioned a lieutenant-colonel in the U. S. Engineer Corps.

Rochester — John Culligan, Dixie Theater employe, was among the first group here to be inducted into the New York Home Guard.

Wilkes-Barre, Pa. — Joseph T. Ales, local projectionist, has enlisted in the U. S. Marine Corps.

"Happy Birthday to You"



From THE FILM DAILY to
DECEMBER 27
Marlene Dietrich
Bodil Rosing
Sam Coslow
John Bowers
Maria Alba
Edward L. Klein

DECEMBER 28

Low Ayres
Arch Reeve

Frank Butler

DECEMBER 29

Harry Gold
Max Graf
George E. Marshall

John T. Neville
Ted Alexander
William German
Lou Irwin

YOU CAN'T KNOW WHAT WE'VE GOT
...UNTIL YOU CALL!



Call Warner Bro

FLIGHT FROM

Brother we've got another! The makers of 'Santa Fe Trail' are ready to blaze another boxoffice trail. It's the biggest "something different" that's come out of Hollywood this year. They're still talking about the preview but don't take their word...

SEE FOR YOURSELF!

(You may as well get used to the idea of seeing 'em before you play 'em!)

os. about

UNDESTINY

BOOKED ON-THE-SPOT FOR
EXTENDED RUN AT FOUR-
STAR THEATRE, LOS ANGELES
—AND A SOLID SMASH!



Thanks to Them!

Warner Bros. take this public opportunity to extend a hearty handshake to these fine artists. They knew they had a great story—and they poured all their great talents into making it the outstanding production it is!

Following their four big successes—one big triumph for all!

GERALDINE

FITZGERALD • MITCHELL

Of 'Wuthering Heights'

THOMAS

Of 'GWTW'

JEFFREY

LYNN • STEPHENSON

Of 'ATAHT'

JAMES

Of 'The Letter'

Also Mona Maris • Jonathan Hale • Directed by VINCENT SHERMAN

Screen Play by Barry Trivers • From a Story by Anthony Berkeley

Post-Xmas Rush At B'way's B. O.'s

(Continued from Page 1)

with prospects for a house record on the week.

The Roxy sold 17,958 tickets for a gross of \$9,500 on Christmas and an attendance almost equal to the holiday yesterday. Picture was 20th-Fox's "Chad Hanna."

The Paramount having Para's "Love Thy Neighbor" in its second week took in \$25,000 on Christmas and yesterday. First week garnered \$65,000 and Bob Weisman, manager, estimates a second week gross of \$85,000, due to the two holidays.

"Comrade X" took off at the Capitol to one of the biggest Christmas day openings in the history of the house, while the Metro pix's business yesterday was even greater than that of the premiere.

Warners' "Santa Fe Trail" at the Strand gave the theater one of its biggest days and a holiday gross well in excess of last year. Business yesterday was much bigger than the post-holiday of 1939.

Loew's State, with Para's "Christmas in July," also did exceptional holiday business, as did the Rivoli, with Para's "Victory," the Palace, 20th-Fox's "Tin Pan Alley" and "Romance of the Rio Grande," the Criterion, with Metro's "Little Nellie Kelly," and the Globe, with Warners' re-issue, "Here Comes the Navy." Disney's "Fantasia" at the Broadway and Chaplin's "The Great Dictator" at the Astor were sellouts.

Chicago — Theater managers in Chicago report the holiday business here ahead of that of last year.

No Duals With 'Scandals' And Kyser's Ork in Hub

Boston—RKO Boston theater here will show only single features with both "George White's Scandals" and Kay Kyser's ork. Published reports that duals would play with the two stage attractions was erroneous.

Bert Osterman Dead

Oakland, Calif. — Bert Osterman, 49, northern division manager of the real estate section of Fox West Coast Theaters, died here of a heart attack. He is survived by two sons, William and Bert, Jr., both of San Francisco.

German Exhibitors Feeling War Pinch

Zurich (By Air Mail)—During the first nine months of the season of 1939-40, the German Censor Board approved 59 German pictures, eight from Italy and three from the U. S.—a total of 70 as against the 101 for the same nine months of the previous season when 18 American films were passed. Only 10 new pictures—seven German, three Italian—were passed in September. Nazi exhibits, are feeling the war's pinch as product drops off.

REVIEWS OF NEW FILMS Daniel Frohman Rites Will Be Held Monday

"Her First Romance"

with Edith Fellows and Wilbur Evans
Monogram—I. E. Chadwick 77 Mins.

(HOLLYWOOD PREVIEW)
GENE STRATTON PORTER STORY
SHOULD CLICK NICELY WITH FAMILY
AUDIENCES.

I. E. Chadwick, inactive for some time, makes a strong comeback with this Gene Stratton Porter story. He introduces Edith Fellows in a new role, that of a young singer, and the youngster reveals a well-trained voice. A newcomer, Wilbur Evans concert baritone, plays and sings the leading male lead—and he should prove very popular. He has a very pleasing personality and gives an ingratiating performance. Edward Dmytryk has done an excellent job of directing. Adele Comandini contributed an interesting screenplay.

Jacqueline Wells does good work as Edith's scheming half-sister and guardian. Alan Ladd, Judith Linden, Roger Daniel and Marion Kirby are among the principals who give splendid performances.

Edith is a college freshman, who has never had a date. She appears to be an ugly duckling, hiding her beauty under heavy rimmed eye glasses and being poorly dressed. However, when she is invited to a fraternity dance, Marion Kirby, along with her family, gets appropriate clothes and she is transformed into a beautiful girl.

Edith learns that her "bid" to the dance was a fraternity hoax, and she sends the college boys scampering. Evans who has been on a vacation, goes to Edith and takes her to the dance. Edith arranges for Evans to meet Judith Linden, who has been jilted by Alan Ladd in favor of Jacqueline. Jacqueline makes a play for Evans and Ladd finally realizes it is Judith whom he really loves. Evans does not show any interest in Jacqueline, and Edith sets her cap for him. Evans promises to return and indicates much interest in Edith.

CAST: Edith Fellows, Wilbur Evans, Jacqueline Wells, Alan Ladd, Judith Linden, Roger Daniel, Marion Kirby, Marla Dwyer, Ottila Nesmith, Ray Hirsch, Alexander Moreland, Julie Sheldon, John Adamson.

CREDITS: Producer, I. E. Chadwick; Associate Producer, Herman Wohl; Director, Edward Dmytryk; Author, Gene Stratton Porter; Screenplay, Adele Comandini; Cameraman, John Mescall; Editor, William Ziegler; Musical Director, Gregory Stone.

DIRECTION, Excellent. PHOTOGRAPHY, Good.

First French Pix Made Since Armistice Shown

Vichy (By Air Mail)—First French picture to be completed in unoccupied France since the armistice is "The Marvelous Night," directed by Pierre Chenal. It's a modernized version of the Christmas legend, with the characters refugees.

Azair Naud Dead

Montreal — Azair Naud, tuba player in the orchestras at Sohmer Park, Academy of Music, his Majesty's and Loew's Theaters at various times, is dead.

"Sensation"

with John Lodge, Diana Churchill,
Francis Lister
Film Alliance of the U. S. 54 Mins.

MURDER YARN HAS A CONSIDERABLE AMOUNT OF SUSPENSE AND SKULL-DUGGERY.

This new British-made release being handled here by Film Alliance contains a considerable amount of suspense and skull-duggery before a murder is solved by the crime reporter for a paper. The characterizations are competent and the story moves along at a brisk pace. Technical work is okay. Picture is suitable as a filler for nabe programs and should get a fair enough reception.

John Lodge, Diana Churchill, Francis Lister and Margaret Vyner are featured in the cast. Brian Desmond-Hurst directed the picture, maintaining the suspense and action nicely. Screenplay was written by Dudley Leslie, Marjory Deans and William Freshman.

Lodge, crime reporter for a daily, gets the assignment to cover a murder although he has promised his fiancée, Miss Vyner, that he will give up this type of reportorial work because of her distaste for it. Lodge goes about his job in cold-blooded fashion and following his hunches uncovers the murderer, who is brought to trial and convicted.

CAST: John Lodge, Diana Churchill, Francis Lister, Margaret Vyner, Jerry Verno, Richard Bird, Arlene Seyler, Dennis Wyndham, Henry Oscar, Anthony Holles, Martin Walker, Sybil Grove.

CREDITS: Producer and Director, Brian Desmond-Hurst; Screenplay, Dudley Leslie, Marjorie Deans and William Freshman; Adapted from a play by George Munro and Basil Dean; Cameraman, Walter Harvey.

DIRECTION, Good. PHOTOGRAPHY, Good.

General Film Laboratory Organized In Detroit

Detroit—The former Detroit Film Laboratories, Inc., which went into receivership sometime ago, is being taken over by the newly-incorporated General Film Laboratory. Company is taking over the property at 66 Sibley St., which was the old Fox Film Exchange, and will specialize in film processing for the commercial motion picture producers in this territory. Edwin Busby, who was recently receiver for the old company, is new general manager of the new organization.

Edward Smith Captures First in WMT Campaign

Springfield, Mass.—Fifth Anniversary Drive of Western Massachusetts Theaters, Inc., was won by Edward Smith, manager of the local Paramount. Other winners:

Second, Charles Smith, Broadway, Springfield; third, George Labby, Victory, Holyoke; fourth, David F. Perkins, Plaza, Northampton; and fifth, Louis Marks, Strand, Westfield.

Circuit managers received a week's salary as a holiday bonus.

(Continued from Page 1)

ing founder, who died yesterday from bronchial pneumonia following a hip fracture on Nov. 3, will be held at 11 a.m. Monday at the Little Church Around the Corner, 1 E. 29th St. The Rev. Dr. Randolph Ray, rector, will officiate.

At Frohman's side when he died were his sister, Etta Frohman; two nephews, Henry and Daniel Davison, and Mrs. Henry Davison.

Frohman's death ended a career of more than 60 years as a producer in the legitimate theater and a life of such vitality that his possessor was internationally famous. A native of Sandusky, O., he was married in 1903 to one of his stars, Margaret Illington. They were divorced in 1909. Miss Illington later married Maj. Edward Bowes. Her death occurred in 1934.

Thompson Agcy. Finishes Fourth Shell Oil Co. Film

West Coast Bureau of THE FILM DAILY

Hollywood—J. Walter Thompson Co.'s film department has completed the fourth film of the year for Shell Oil Co. It's a three-reeler, "Oil For Aladdin's Lamp." The picture, made under supervision of Norman Blackburn of the Thompson Company's Hollywood office, deals with scientific developments in the oil company's research plant at Emoryville.

The company now has in production pictures for the Lamont Corliss Co., Safeway Stores and the Washington State Apple Commission.

Cuban President Will View "Flight Command"

Havana (By Air Mail)—President Batista and other Government dignitaries will see Metro's "Flight Command" at a private screening at the Rex Sunday.

Clator Succeeds Jones

Richmond, Va.—At the annual election of officers for the stage hands local, Earl Clator was named president, succeeding the veteran Tom Jones. Other officers are L. C. Ratcliff, vice-president; Stuart Atkinson, recording secretary; John Leary, financial secretary; Claude Wilson, treasurer; Frank Mathews, sergeant at arms, and Harry Jarvis, business agent.

Spain to Introduce National Newsreel

Barcelona (By Air Mail)—Spain is planning to introduce a national newsreel in 1941. In order to conserve foreign exchange, it is proposed to exchange footage with Germany and Italy.

Rules Des Moines Can Regulate Game

(Continued from Page 1)

registration list which has been used for nearly three years and that a new list be made every 12 months. The petition also asked that if the City Council could take no action it request the Governor and Legislature to pass a bill setting up regulations for Bank Night.

Van Liew in his opinion stated the Iowa code gives the cities the power to limit the number, regulate, license or prohibit theaters and pointed out a case in which the Supreme Court held cities have the right to require Sunday closing of theaters.

He also pointed out another case in which the court ruled Bank Night is not a lottery when a customer does not pay or hazard anything of value for a chance to obtain a prize. This decision was affirmed by the Supreme Court last April.

David Lowe Staging Play

WNE's Hollywood Commentator, David Lowe, will stage Conan Doyle's "The Speckled Band," opening Jan. 22 at Millpond Playhouse, Roslyn, L. I.

"Hellzapoppin" In Grand Rapids

Grand Rapids, Mich.—"Hellzapoppin'" will move into Keith's here Jan. 20-21.

Uruguay Congress May Require Equal Screen Playing Time for Native Newsreel Footage

Montevideo (By Air Mail)—A decree calling for equal screen time for Uruguayan newsreels with foreign-made material is expected to be passed by the Uruguayan Congress. Local film circles question the practicability of the measure as there are not sufficient Uruguayan-made newsreels.

Expect Delaware Will Modernize Sunday Laws

Wilmington, Del.—The nine-member legislative commission headed by the Rev. Ralph L. Minker, which has been studying the blue laws, will report to the General Assembly soon after it convenes on Jan. 7.

While the contents will not be divulged until after it is submitted to the legislature, it is understood the report represents an attempt to bring the laws regulating activities on Sunday in line with modern thought and accepted procedure. Commission, meeting this week, approved a general outline.

"Melody Ranch" on Radio

"Melody Ranch," new Republic special with Gene Autry, will be done on the radio Sunday night by the original cast on the Wrigley program, it was announced yesterday.

Philly House to Serlin

Philadelphia — Oscar Serlin has leased the Walnut St. Theater, now dark, here.

Film Alliance Suing GB, Ostrer on Film Contract

(Continued from Page 1)

to carry out a contract for sole U. S. distribution rights to the film "Things Are Looking Up." The contract, originally made on March 21, 1940, with Albert P. De Courville, was later assigned to the plaintiff, according to the complaint. The plaintiff claims this film to be valuable because it stars Vivien Leigh. Examination of Ostrer and Mary Larkin, an assistant secretary, is sought.

GWTV Big at Cincy's Capitol

Cincinnati — The Capitol here opened "Gone With the Wind" Christmas day with a record lineup of patrons at the box office all day. Business was said to have borne out previous estimates that 70 per cent of the filmgoers have yet to see the picture.

Bartow Joins Para. In Chi.

Chicago—Fred Bartow, formerly with Warners, has been named exploiter for Paramount's Exchange.

Says Domestic Gains Offset Loss Abroad

(Continued from Page 1)

iod. Presumably theater attendance has risen at about the same rate," says Poor's.

"For 1941 one may be reasonably assured that domestic theater attendance and receipts will far surpass those of 1940. Moreover, the improvement in prospect for 1941 is expected to be sufficient to offset any losses suffered from the foreign markets. For, even should so much as a 50 per cent decline in foreign film rentals be suffered, a rise of less than 7 per cent in total U. S. box-office receipts in rentals would prove compensatory.

"A trend worth noticing is the inclination of the motion picture public to favor single, rather than double-feature programs," Poor's also points out. "Should the industry decide that the time is ripe to discontinue the practice of servicing the double-feature market and to concentrate on the production of fewer, but better quality, single features, closer control over operating costs might easily result.

"The benefit to net earnings, assuming that box-office tariffs are held at present levels, should go far in improving the industry's internal status," the analysis concludes.

Now Ready for Release —

Feature Production

"CAVALCADE OF FAITH"

IN FOUR LANGUAGES

English — Spanish — Polish — Italian

The World's Most Powerful Drama

*Stressing the Importance of Faith
Man's Most Valuable Heritage*

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JEFFREY FILM CORPORATION

1270 SIXTH AVE.

Telephone: Circle 7-3473

NEW YORK, N. Y.

Greater New York Distributors---Fortune Film Exchange, 630 Ninth Ave.

Ascap to Face U. S. Criminal Action

(Continued from Page 1)

available for radio broadcasting in order to eliminate competition and to monopolize the supply.

2—Illegal discrimination against users of copyright music.

3—Illegal discrimination against composers who are not members of Ascap, BMI.

4—Withholding music from publication in order to exact fees not permitted by the copyright laws.

5—Illegal price fixing.

6—Restraining composers in their right to bargain for the sale of their own music.

7—Requiring users of music to pay for tunes on programs in which no music is played.

8—Mutual boycotts by Ascap and by the broadcasting chains (through BMI) in an attempt by each of these conflicting groups to obtain for themselves control over the supply of music by depriving the others of control, which boycotts threaten to restrain and obstruct the rendition over the radio of about 90 per cent of the desirable modern copyright music.

Arnold's Statement

The action came as a distinct surprise as it had been known that the Department of Justice and Ascap were on the verge of signing a consent decree. Commenting on the suit Assistant Attorney General Arnold said: "This department cannot sit by and see Ascap and the broadcasters engage in a private war at the expense of the public, using violations of law as their weapons in order to fight fire with fire. We have tried to obtain voluntary agreement to form the basis of a working peace which would eliminate the illegal activities and allow the associations of composers to continue their legitimate function of protecting their members from piracy. These efforts, which a few days ago appeared to be on the verge of success, have failed. Now we have no choice but to proceed with a criminal prosecution to protect the interests of the public in orderly com-

Ascap Announces That Four More Music Firms Re-sign for 10 Years, Making a Total of 139

Ascap announced last night that four more music companies had signed up again for a period of 10 years, making a total of 139 out of 140 music companies to re-sign. The four are: the Robbins and the Miller Music Companies, and Leo Feist, all three Metro companies, and Movietone Music Co., 20th Century-Fox affiliate.

petition in the distribution of music."

Arnold also revealed that complaints have been received against the Society of European Authors and Composers and such complaints are being investigated.

Original Purpose Legitimate

"For a number of years the anti-trust division has received constant complaints against the activities of Ascap. The original purpose of Ascap was one which the Department recognizes to be legitimate, i.e., collective action to protect its members from piracy of their copyrights. Activities which further this purpose have not been questioned by the Department, and are not attacked in these proceedings. However, the Department for many years past has frequently called to the attention of Ascap practices which went far beyond the necessity of protecting its members in their copyright privileges — practices which were designed solely for the purpose of eliminating competition in the furnishing of music, and securing a monopoly control over the supply," Arnold said.

Both BMI, Ascap Called Illegal

"Recently through Broadcast Music, Inc., (an association controlled by the major broadcasting chains), the National Broadcasting Company and the Columbia Broadcasting System have engaged in, and threaten to continue on a larger and larger scale, restrictive practices similar to those which the Department charges were illegally instituted by Ascap. It is claimed that these activities were necessary to protect the broadcasting chains from the illegal activities of Ascap. The Department is not concerned with the question as to which organization was the aggressor. Each of these groups today is charged with using illegal methods to wrest the control of copyright music from the other. The threatened conflict is already in its first stage. The mutual boycotts already begun will hamper and obstruct the rendition of all copyrighted music over the radio and deprive the public of the privilege of hearing that music except on terms dictated by the victor in the contest. In such a struggle the public is in the position of a neutral caught between two aggressive belligerents."

Gov'ts Announcement Comes As No "Shock," Says Buck

Gene Buck, Ascap prexy, last night stated that "Assistant Attorney General Arnold's announcement to proceed to indict Ascap is regrettable but does not come as a shock to me or my associates. The

only new feature of the Government's announcement is Arnold's declaration to also indict CBS, NBC and their company union, BMI, for which he receives our sincere congratulations.

"This is the first time to my knowledge that the Attorney General's office has addressed itself publicly to doing something about the monopoly, the power and the activities of our opponents. Heretofore our society has been singled out as the big bad wolf by the Government and all the big guns have been aimed at the society, we who create the music and the songs of the nation.

"The Assistant Attorney General's announced proceedings to finally go into the entire structure of the monopoly of the air and its affiliations should be welcome news to every one concerned—the public, the legislatures, the judiciary throughout the nation and my associates in the society.

"We have offered and are still willing to meet the broadcasters any time, any place, anywhere," Buck's

B'way Show Window For Documentaries

(Continued from Page 1)

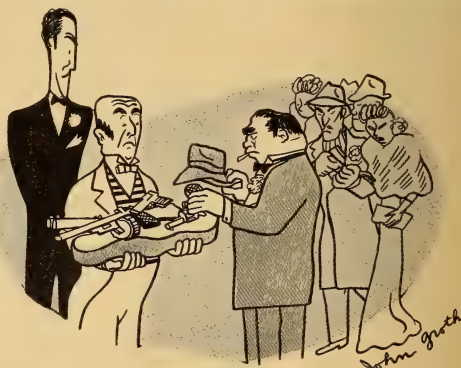
al subjects is planned by Harold McCracken, president of Courier Productions, Inc. McCracken is negotiating a long term lease on a Broadway house and The American Film Center will direct programs and book the house.

Object is to secure newspaper reviews and public notices for non-theatrical films. A 60-minute program at a 25-cent admission is the tentative plan.

Colon Passes Chaplin Film

Colon, Panama (By Cable)—The Mayor of Colon and the censorship board have passed Charles Chaplin's "Great Dictator" for showing here despite request for its banning by the German Minister.

statement concludes, "to negotiate and settle our differences, but all the efforts of those who have tried for over eight months, including ourselves, have been unsuccessful. The broadcasters have evidently decided to go through with their plans to boycott our music and no one, it seems, including the Government, can induce them to change their set course."



VERY EMILY POST

Cesar Romero, as the Romeo of the rackets, insists that all guests attending his exclusive functions turn over to the butler their brass knucks, iron pipes, gats, and miscellaneous artillery.

TALL, DARK and HANDSOME

20th's natural!... loaded with laughs! thrills! tunes!



STORKS!

West Coast Bureau of THE FILM DAILY

Hollywood—Bernie Williams, Warner publicity art department head, is the father of a 7 lb. 14 oz. daughter, to be called Gretchen. Mother is Kay Mulvey of Woman's Home Companion.

Chicago—A baby girl born at the Passavant Hospital to Mrs. Griff Williams, wife of the film band leader.

Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 126

NEW YORK, MONDAY, DECEMBER 30, 1940

TEN CENTS

HOLLYWOOD READY FOR 1941's PROBLEMS Taxes Loom as Biggest Wis. Legislative Problem

**Sales Levy Is Discussed;
Exhibitor Interests Will
Offer Stiff Opposition**

Milwaukee—Many Wisconsin exhibitor leaders regard the problem of finances one of the most pressing to be presented before the 1941 legislature. They point out that present appropriations exceed present income by about \$12,000,000 and that in an effort to balance the budget, it will be a question of deciding whether the existing taxes be increased or new taxes be enacted.

The likelihood of a sales tax is still discussed in some quarters and if it is introduced, it will meet with

(Continued on Page 8)

\$597,000 "Bagdad" Gross in 3 Days

"The Thief of Bagdad" has grossed more than \$597,000 in the first three days of its general release in the U. S. and Canada, according to Arthur W. Kelly, vice-president in charge of foreign distribution for United Artists.

While "The Thief of Bagdad" opened in most of the 262 theaters on Tuesday, it started its engagement in many spots on Christmas Day. Therefore, the gross figure, Kelly pointed out, represents a two-day instead of a three-day "take" in many engagements.

Industry Notables Will Attend Frohman Rites

Last rites for Daniel Frohman in the Little Church Around the Corner this morning will be widely attended by film and stage leaders.

Adolph Zukor, Paramount's board chairman, with whom Frohman was

(Continued on Page 3)

Argentina Bans

"Great Dictator"

Buenos Aires (By Cable)—Charles Chaplin's "Great Dictator" has been banned due to Italian intervention at the Argentine foreign office.

THE WEEK IN REVIEW

U. S. to File vs. Ascap

By L. H. MITCHELL

DOMESTIC

Ascap: The Gov't will file a Sherman anti-trust suit against Ascap, BMI, NBC and CBS on Jan. 1 in Milwaukee, Asst. Atty. General Thurman W. Arnold announced at the week-end . . . Federal Court in Tacoma ruled Ascap an illegal combination in restraint of trade . . . U. S. Supreme Court will hear the Florida-Ascap case, both state and Ascap having taken appeal.

Remittance: U. K. remittance pact was signed on Tuesday (as published exclusively in THE FILM DAILY on Thursday) Will H. Hays announced to the MPPDA Board. Amount is \$12,900,000.

Theater Games: Oregon court ordered

(Continued on Page 2)

N. Y. Critics Vote Their Annual Awards

The film critics of New York City balloted Friday night on the best pictures, direction and performances of 1940, with the following result:

Best picture of the year, "The Grapes of Wrath."

Best foreign language picture,

(Continued on Page 3)

**Studios Will Be Increasingly Sensitive to Public
Entertainment Wants in 1941; Producers' Whims to
Do Fadeout; Box-Office Will Hold the Whip Hand**

By JACK ALICOATE

Publisher of THE FILM DAILY

As the American film industry pauses to take stock and to consider its immediate future in 1941, its first concern, more than ever before, is production.

MPPDA Budget Levels Retained for 1941

Budgets for the operation of the MPPDA for the new year were scheduled at approximately the same figure as for the current year at a meeting of the board of directors Friday.

Other subjects discussed at Friday's adjourned sessions were the British remittance plan and the activities of Joseph I. Breen in the code seal administration.

Company representatives were told

(Continued on Page 8)

Lottery and Dog Racing Measures Loom in N. H.

Concord, N. H.—During the biennial session of the State Legislature, which opens on New Year's Day, bills will be introduced to establish a state lottery, legalize pari-mutuel dog racing and license slot machines, it is learned.

William F. Manley, radio script

(Continued on Page 3)

That is inevitable, for not alone is there the continuing problem presented by World War II and its serious effect on foreign revenue, plus domestic reactions incident to the national defense program, but there exist the uncertainties arising from the consent decree recently signed by five leading companies in the so-called New York equity suit brought by the Government.

During 1940, the industry has seen

(Continued on Page 7)

Minimum for GWTW Regardless of Runs

M-G-M will demand admission prices of at least 40 cents for matinees and 50 cents at night, exclusive of tax, for "Gone With the Wind" regardless of run. While

(Continued on Page 3)

Arbitration to be Myers' Subject at Philly Meet

Philadelphia—Abram F. Myers Allied general counsel, will discuss arbitration here Jan. 14 when the Eastern Pennsylvania unit holds its annual meeting and election of officers.

"Virginia" Opening To Aid War Relief

Maple Leaf Fund, Canadian-sponsored organization in the U. S. for British war relief, will sponsor the premiere of Para's "Virginia" at the New York Paramount Jan. 28. Fund has taken the entire orchestra floor and will sell 1,600 seats at advanced prices. Notable list of p.a.'s is being set.

9% Daily Gross Tax in Mexico Exhibs. Win Change, Effective on Jan. 1

Twelve Elected to Board Of the M. P. Academy

West Coast Bureau of THE FILM DAILY
Hollywood—David O. Selznick, Y. Frank Freeman, Walter Wanger, Frank Capra, Frank Lloyd, Sam Wood, Edward Arnold, Rosalind Russell, James Stewart, Howard Estabrook, Jane Murfin and Robert Ris-

(Continued on Page 3)

By MARCO-AURELIO GALINDO
FILM DAILY Staff Correspondent

Mexico City—A fixed tax of 9 per cent for all houses on the total gross made daily, regardless of the admission price, will go into effect Jan. 1, substituting for the 16.45 per cent tax which picture houses have been paying the Mexican government for the past few years, THE FILM DAILY

(Continued on Page 3)

THE Film DAILY
ALL THE NEWS
ALL THE TIME

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uelo Galindo, Depto. 215, Calle del Sindi-
lismo, 99, Tacubaya, D. F.

FINANCIAL

QUOTATIONS OF FRIDAY, DEC. 27)

NEW YORK STOCK MARKET

	High	Low	Close	Net Chg.
n. Seat.	7 3/4	7 3/4	7 3/4	— 1/4
l. Picts. vts. (2 1/2%)	5 1/2	5 1/2	5 1/2	— 1/4
lumbia Picts. pfd.	—	—	—	—
n. Fm. Ind.	3 1/2	3 1/2	3 1/2	— 1/8
n. Fm. Ind. pfd.	8	8	8	— 1/4
st. Kodak	134	133 1/4	133 1/4	— 1/8
pfd.	—	—	—	—
n. Th. Eq.	12 1/2	11 3/4	12 1/2	— 1/8
ew's, Inc.	31 3/8	30 3/4	31 3/8	— 7/8
pfd.	10 1/2	10 1/4	10 1/2	— 3/4
ramount	10 1/2	10 1/4	10 1/2	— 3/4
ra. 1st pfd.	96 1/2	96 1/2	96 1/2	— 1/8
ra. 2nd pfd.	11 1/2	10 3/4	11 1/2	— 3/8
the Film	9 3/4	9 3/4	9 3/4	— 1/8
Q 3 1/2 pfd.	3 1/2	3 1/2	3 1/2	— 1/8
Q 5 1/2 pfd.	42 1/2	42 1/2	42 1/2	— 1/8
th Century-Fox	6	5 3/4	6	— 1/8
th Century-Fox pfd.	17 3/4	17 1/4	17 3/4	— 1/8
iv. Pict. pfd.	113 1/2	112	113	— 2
arner Bros.	3 1/4	3	3	— 1/8
pfd.	53	53	53	— 1

NEW YORK BOND MARKET

ith B. F. ref. 6 1/4%	104 1/4	104 1/4	104 1/4	—
ew's deb. 3 1/2%	94 1/2	94 1/2	94 1/2	— 3/8
B. Way 3 1/2%	52 1/2	52 1/2	52 1/2	— 3/8
ra. Picts. cv. 3 1/4%	95	94 1/2	94 1/2	— 1/8
arner Bros. deb. 6 1/4%	—	—	—	—

NEW YORK CURB MARKET

onogram Picts.	3 1/2	3 1/2	3 1/2	— 1/8
notone Corp.	—	—	—	—
cholor	9 1/2	9	9	— 3/8
ans-Lux	7 1/2	7 1/2	7 1/2	— 1/8
iversal Corp. vtc.	—	—	—	—
iversal Picts.	14	14	14	— 1/4

S. Judge Wilkerson Resigns

Chicago — Federal Judge James
Wilkerson, in whose court impor-
tant film litigation has been aired
over a period of years, has resigned.

Pioneer Song Plugger Dead

Springhill, N. S.—Ralph Maddi-
son, 59, a pioneer illustrated song
riter in picture theaters in Can-
ada and the U. S., is dead here.

avid J. Adams Dead

Concord, N. H.—David J. Adams,
ioneer film exhibitor, is dead here.

■ The Broadway Parade ■

Picture and Distributor	Theater
Love Thy Neighbor (Paramount Pictures)—3rd week	Paramount
Santa Fe Trail (Warner Bros. Pictures)—2nd week	Strand
Victory (Paramount Pictures)—2nd week	Rivoli
Comrade X (Metro-Goldwyn-Mayer Pictures)	Capitol
Here Comes the Navy (Warner Bros. Pictures)—2nd week (d)	Globe
Chad Hanna (Twentieth Century-Fox)	Roxey
Little Nellie Kelly (Metro-Goldwyn-Mayer Pictures)	Criterion
San Francisco Docks (Universal Pictures)	Rialto
The Philadelphia Story (Metro-Goldwyn-Mayer Pictures)	Music Hall
Three Men From Texas (Paramount Pictures) (a)	Central
Larceny Street (Film Alliance of the U. S.) (a)	Central
Tin Pan Alley (Twentieth Century-Fox) (a-b)	Palace
Romance of the Rio Grande (Twentieth Century-Fox) (a)	Palace

◆ TWO-A-DAY RUN ◆

The Great Dictator (United Artists-Chaplin)—12th week	Astor
Fantasia (Walt Disney Productions)—7th week	Broadway

◆ FOREIGN LANGUAGE FEATURES ◆

The Baker's Wife (The Baker's Wife Co.)—44th week	World
They Met on Skis (Mike Mindlin)—2nd week	55th St. Playhouse
The Living Dead (J. H. Hoffberg Co.)—3rd week	Bryant
The Mannerheim Line (Artkino Pictures)—2nd week	Miami Playhouse
Estasy (Eureka Productions)	Ambassador
Hotel du Nord (Juno Films)	Little Carnegie

◆ FUTURE OPENINGS ◆

Flight Command (Metro-Goldwyn-Mayer Pictures) (c)	Capitol
Arizona (Columbia Pictures) (c)	Music Hall
Second Chorus (Paramount Pictures-Morris)—Jan. 15	Paramount
Four Mothers (Warner Bros. Pictures)—Jan. 10	Strand
Hudson's Bay (Twentieth Century-Fox) (c)	Roxey
Texas Rangers Ride Again (Paramount Pictures) (c)	Criterion
Kitty Foyle (RKO Radio Pictures) (c)	Rivoli
The Letter (Warner Bros. Pictures)—Dec. 31 (a-b)	Palace
One Night in the Tropics (Twentieth Century-Fox)—Dec. 31 (a-b)	Palace
Maxim Gorky's University of Life (Artkino Pictures) (c)	Miami Playhouse
Night Train (Twentieth Century-Fox) (c)	Globe

(a) Dual bill. (b) Subsequent run. (c) Follows current bill. (d) Re-issue.

**THE WEEK IN
REVIEW
U. S. to File vs. Ascap**

(Continued from Page 1)

ered briefs filed in the battle to pre-
vent running of the game Silver
Quiz . . . Bill hopped in Mass.
would legalize Bingo and Beano,
with taxes totaling 37 1/2 per cent
... Ohio State Supreme Court rul-
ing on Bank Night still leaves its
legality in doubt.

Consent Decree: Para. intends to
try to make the consent decree work
for all concerned, Prexy Barney Bal-
aban stated, urging both exhibs. and
distribs. . . MPTOA Prexy Ed Kuy-
kendall called talk of exhib. co-op-
eration on the decree "nonsense"
... The "Little Three" will ask
elimination from Gov't's trust suit
against the Griffith circuit . . . "Pat-
ient" arbitrators sought under de-
cree . . . AAA pix division moving
to Radio City.

Miscellany: O. Henry Briggs was
elected president of PRC . . . \$2,000-
000 in Federal amusement taxes
were recovered in the N. Y. area
... Camera, projection and film biz
in 1939 was valued by Gov't sources
at \$133,899,429 as against \$115,-
887,589 for 1938 . . . W. Pa. indies
went on record as opposed to increas-
ing admissions . . . Negro theaters in
the U. S. increased to 401, during
the year.

COMING and GOING

JOSEPH BERNHARD, general manager of War-
ner Theaters, leaves today on the Century
for West Coast conferences with Harry and
Jack Warner.

SIDNEY R. KENT arrives on the Coast this
morning.

OTTO BOLLE, manager for 20th-Fox in South
Africa, has postponed his return to that ter-
ritory until the middle of January.

WOLFE COHEN, district manager for Warners
in Canada, has returned to Toronto after sev-
eral days here.

LYNN FARNOL goes to New Orleans Thurs-
day.

LEO SPITZ is scheduled to return to Cali-
fornia this week after spending Christmas in
Chicago.

GRUICHU MARX returned to the Coast over
the week-end.

HUMPHREY BOGART and his wife, MAYO
METHOT, returned to New York over the week-
end after a visit in upstate New York.

ANNA NEAGLE leaves for the Coast tomorrow
night.

TAMARA is making a p.a. in Chicago.

FRANK DONOVAN, vice-president of Pathe
News, is vacationing at Lake Placid.

JACK COHN, vice-president of Columbia,
and his family, are vacationing in Miami.

OSCAR LEVANT is scheduled to leave for the
Coast today.

ARTHUR LEE has arrived on the Coast on a
business trip.

SAM COHEN, director of foreign publicity for
United Artists, is vacationing in Florida.

MR. and MRS. W. J. E. BROWN of Wash-
ington are spending the holidays with the Lou
Browns, Loew-Poli publicity chief, at New
Haven.

JIM MEMERY, Loew-Poli division artist, is
holidaying at Pepperill, Mass.

**Good Showmen
HAVE THIS TO SAY:**

- ★ "Reaction terrific . . . the patrons howled . . . asked
for more." F.B. Schlax, Kenosha Theatre, Kenosha, Wis.
- ★ "Audience reaction very enthusiastic . . . should
play every theatre . . ."
Lou B. Metzger, Spreckles Theatre, San Diego, Cal.
- ★ "Audience reaction excellent . . ."
Harry Zeitz, State Theatre, New Bedford, Mass.
- ★ "... fine entertainment . . ." Chas. Bierbauer,
Wilmer & Vincent's Colonial, Allentown, Pa.
- ★ All of which means there is a great reel in
BOB HAWK'S sensational CBS Coast-to-Coast
network smash . . . "TAKE IT OR LEAVE IT"
A COLUMBIA "QUIZ" REEL—NOW BOOKING

9% Daily Gross Tax in Mexico

(Continued from Page 1)

learned exclusively over the weekend.

The new tax results from negotiations which the Association of Mexican Exhibitors, recently organized, conducted with the Secretaria de Hacienda y Credito Publico (equivalent to the American Treasury Department) during the last two months under the aggressive leadership of its president, Mauricio de la Serna, general manager of the Teatro Alameda, Mexico's chief de luxe house.

This new system of taxation is believed to prove as beneficial in the long run to the Mexican treasury as it may be to the theaters themselves, since the tax charged formerly was computed to apply arbitrarily to the grosses made over the entire year on the basis of those made during the last three months of the year.

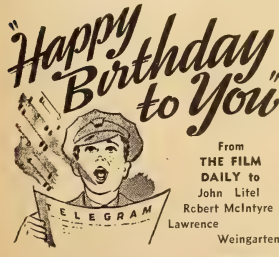
The system now in effect has given rise to the extended practice on the part of exhibitors of deliberately playing the weakest pictures during the last quarter of the year in order to lower their grosses, thus securing a low tax for the whole year. On the other hand, it occasionally has happened that some pictures were played at such a time which made big grosses, thus providing the basis for a high tax for the entire 12 months. The system has also tended to encourage graft among government inspectors.

Industry Notables Will Attend Frohman Rites

(Continued from Page 1)

associated in Famous Players, Friday sent a message of condolence to Miss Etta Frohman, sister of the deceased. In part, it read:

"His friendly co-operation and advice were of inestimable value both to Paramount and to the entire motion picture industry and continued to be so down the years. As a company we shall always remember him with respect and gratitude. Personally I grieve at losing a tried and true friend and business associate whose kindness and unstinting efforts I shall never forget."



● ● ● UNITED Artists said farewell to Lynn Farnol.....retiring advertising and publicity director.....with a cocktail party.....on the 12th floor offices.....Friday afternoon.....Not only was the entire UA gang.....from Murray Silverstone and Arthur Kelly down.....present to honor Lynn.....but the party attracted.....innumerable friends of long standing.....in the industry.....to wish him the best of luck.....in his future activities.....On behalf of his associates.....Monroe Greenthal.....who steps up from exploitation chief.....to succeed Farnol on Jan. 1.....presented Lynn with a beautiful.....gold watch.....The simplicity of the inscription....."To Lynn from UA".....speaks eloquently of the friendships.....that have been the fruit.....of Farnol's service in the post he now leaves.....Farnol shoves off Thursday for an extended vacation.....Plans to visit Charleston, Miami and New Orleans.....

● ● ● CHATTER: ... ● Bill Rodgers, M-G-M sales chief, ...is Coast-bound for a much-needed and deserved vacation.....But can you imagine Bill being near the Leo studio.....without sneaking in a little business along with his holiday? ... ● Another traveler is Lou Pollock who is at Universal City getting a look-see at new product ... ● H. M. Richey hasn't been to Hollywood in seven years.....So he hops off about Jan. 10 to meet the boys and girls at the M-G-M studios.....and vice versa ... ● New magazine, Hollywood Star, is being distributed through department stores.....on a gratis basis.....Macy's ordering many thousands for its customers ... ● Sammy Cohen, U. A. foreign publicity head, vacationing in Florida.....

New York Critics Vote Their Annual Film Awards

(Continued from Page 1)

"The Baker's Wife."
Best direction, John Ford for "The Grapes of Wrath" and "The Long Voyage Home."

Best performance of the year by an actor, Charles Chaplin in "The Great Dictator."

Best performance by an actress, Katharine Hepburn in "The Philadelphia Story."

A special award was given to Walt Disney, Leopold Stokowski and their associates for "Fantasia."

Twelve Elected to Board Of the M. P. Academy

(Continued from Page 1)

kin have been elected to the board by members of Academy of Motion Picture Arts and Sciences.

Two More Sam Fox Music Firms Signed by Ascap

Sam Fox Publishing Co. and Hollywood Songs, Inc., have signed with Ascap, it was announced Friday. This places all Sam Fox controlled catalogs at Ascap's disposal. Movie-tone Music Corp. had previously signed.

John Balaban Midwest Director for Greek Drive

Chicago—John Balaban has been appointed Midwest director for theater participation in the Greek relief drive. Jack Kirsch heads Allied organization relief activities. Mid-night shows and direct contributions from the trade are sought. Van Nomikos went to Dayton, O., meeting yesterday at which Spyros Skouras presided.

WNEW Signs 5-Year Pact Covering Ascap Renewal

WNEW on Friday formally signed a five year renewal with Ascap. Negotiations for Ascap were conducted by John G. Paine, general manager of the Society and, for WNEW by Bernice Judis, managing director.

20th-Fox Buys Stories

Hollywood — Twentieth Century-Fox has bought screen rights to "I Won't Dance," by Harry Sauber; "We Go Fast" by Doug Welch, Satevepost serial; and "Green Endry," a novel by S. Ruth Howard.

Ernest Lawford, Actor, Dies

Ernest E. Lawford, 70, actor, well-known on both the English American stages, died Friday at the Harkness Pavilion of the Columbia Presbyterian Medical Center after a long illness.

Minimum for GWTW Regardless of Runs

(Continued from Page 1)

M-G-M has announced this price policy previously, it was thought, some exhibitor circles that the minimum price would not be asked subsequent-runs now charging as low as 25 cents. A clarification of the issue was asked by several readers of THE FILM DAILY.

According to M-G-M executive the second release of the picture expected to play in 8,000 or 9,000 theaters, whereas the first release was made available to only approximately 4,800 theaters. Whether GWTW will be withdrawn at a late date and, after a prescribed period again be released has not even been discussed by M-G-M officials, indicating that dates in every run possible will be sought at the announced admission price levels.

Meanwhile, the general release of GWTW has been announced for January 17 when a series of 37 engagements will get under way. On that date the picture will open in Washington, Pittsburgh, Cleveland and Buffalo. On Jan. 24, openings have been set for Nashville, Boston, Providence, Springfield, Worcester, Rochester, Syracuse, Columbus, Dayton, Akron, Canton, Toledo, Houston, Evansville, Indianapolis, Louisville, Kansas City, Memphis, Bridgeport, Hartford, New Haven, Waterbury, New Orleans, Harrisburg, Reading, St. Louis, Baltimore, Norfolk, Richmond, Wilmington, London, Ont., and Toronto, Ont.

Lottery and Dog Racing Measures Loom in N. H.

(Continued from Page 1)

writer, is leading the opposition to slot machine licensing. Greyhound racing is opposed by the "moral element" and horsemen, the latter resenting any cutting into their juice melon. Rockingham Park in Salem was New England's first pari-mutuel track.

Indications are that the state lottery plan will not be so bitter fought, but it is considered doubtful that a lottery law will be passed.

Norton Has Greek Feature

"Greek Today," Greek feature, being distributed by Frank Norton

WEDDING BELLS

West Coast Bureau of THE FILM DAILY
Hollywood — Engagement is announced of Ann Nagel and Ensign John Robinson, U. S. N.

West Coast Bureau of THE FILM DAILY
Hollywood—Helen Wood and Dr. Alfred Huenegardt will be married New Year's Day.

"HIGHEST RATING!" — N. Y. Daily News.

Kate Cameron, ace critic gives this

First it was "ARISE, MY LOVE"; Then it was

AND



VICTORY

She says about this

**"ONE OF THE BEST PICTURES
HEREBY RECOMMENDED"**

FREDRIC MARCH · BETTY FIELD

in Joseph Conrad's
"VICTORY"

Sir Cedric Hardwicke
with **Jerome Cowan**
Directed by John Cromwell

AN ISLAND TALE

Screen Play by John L. Balderston · Based on the Novel by Joseph Conrad

"Absorbing screen melodrama...full of cinematic magic. The production is first-rate. Terrific climax. Well worth seeing. Striking and satisfying!"

—Herald Tribune

For the third time in six weeks
his praise to a Paramount picture!
It was "NORTH WEST MOUNTED POLICE"!

NOW IT'S

CORY

the picture . . .

ES OF THE YEAR AND IS
WITHOUT RESERVATION!"

"Deserves a high place on any
movie-goer's list!" —Daily Mirror

"One of the finest dramas of the
year. It's excellent melodrama!"

—Journal-American

"Fine and penetrating motion picture melo-
drama. Don't miss this one!"—World-Telegram

"Starts off on a high note of melodrama
and keeps there till the final fadeout. It
is exciting stuff!"

—Sun



MEET AND BEAT EMERGENCIES

BY USING POSTAL TELEGRAMS!

☞ **WHEN PEOPLE ARE "TOO BUSY,"** remember this:
A Postal Telegram is not kept waiting in an outer office. Postal messengers are trained to get a *signed receipt!*

☞ **WHEN A DEAL'S ALMOST CLOSED,** speed last-minute, important facts via Postal Telegraph. You can be sure they will be transmitted *accurately!*

☞ **WHEN THE UNEXPECTED HAPPENS,** notify all concerned by Postal Telegraph. It costs surprisingly little, thanks to new low Postal Telegraph rates!

☞ **WHENEVER SPEED IS ESSENTIAL,** count on the nation-wide Postal Telegraph system—for helpful, personal service. Just phone Postal Telegraph. Charges appear on your phone bill.

PHONE 



Postal Telegraph

"First When Seconds Count!"

Box Office Will Hold Whip Hand in New Year

Studied Attempts to Give Public Exactly What It Wants in Films Forecast

(Continued from Page 1)

its revenue from overseas still further diminished as the totalitarian machine over-ran much of Europe, struck savagely at the British Isles. And with the advent of 1941, there is the fresh problem—or indeed a full series of problems—stemming from the decree which materially alters long-established industry practices.

With pictures to be sold in maximum blocks of five, and then only regionally after trade showings upon completion, it should be obvious that the key to the situation is held by Hollywood. The immediate question is, can Hollywood turn the trick?

Careful analysis brings assurance that it can and will.

1940 Forecast Was Fulfilled

Hollywood thus far has an admirable score. The forecast of a year ago has been substantially fulfilled. There have been no dramatic curtailment in production, no shortage of pictures, no mass retrenchment. But there has been a general emphasis upon Grade A entertainment, witness the larger number of top quality pictures, and elimination of production extravaganzas.

The result is reflected in the improved financial position of many of the leading companies, disclosed by their earnings reports, and accomplished in the very face of the loss of foreign revenue. And as defense expenditures influence the domestic scene during 1941, there is the virtual guarantee that increased theater attendance—estimates of 5 to 10 per cent are made—will further strengthen the industry.

As to general effect of the consent decree upon production in 1941, it is readily apparent that Hollywood will be increasingly sensitive to public entertainment wants. There will be studied attempts to give the movie-going public exactly what it wants; producer whims will do a fadeout. In other words, the box-office will hold the whip hand.

Is this, then, to be interpreted as meaning a blow to film artistry? Emphatically, No! For it is a matter of industry record that the box-office successes of the year, by and large, have been the better pictures. The trend is too pronounced to doubt its permanence.

The consent decree, of course, is putting the producers on their toes. They are seeking to bolster their player lists and casts. It is understood that M-G-M, which heretofore has been chary in the matter of exchanging players with other studios, has lifted the bars in a desire to line up the best possible casts for its product. Twentieth Century-Fox is adding to its player roster, while virtually all other studios are also on

Mass. Legislature to Get Bill Requiring Theaters to Close With National Anthem

Boston—Topping the legislative calendar, the very first bill in all probability to be introduced in the Massachusetts General Court when it convenes the first week in January will be a bill compelling all theaters to close each performance with the playing of "The Star Spangled Banner."

Admitting the patriotic motive and agreeing entirely with that phase of it, many of the exhibitors are fighting the bill strenuously on the grounds that in the past when this has been done there have been immediate complaints of pickpockets working under the screen of the patriotic fervor or of articles being lost as patrons arose quickly to their feet.

the prowl for future star material.

The decree further will also result in the studios lifting the padlock on the purse-strings when pictures warrant added sequences. Longer shooting schedules need not surprise.

1941 Production Outlook

But what of the complexion of 1941 production? This:

Hollywood observers believe that light comedies and musical comedies, minus too costly sets and production numbers, plus melodrama, will constitute a heavy share of the new year's film menu.

They further feel that there will be a drop in the number of screen biographies and that only historical subjects that provide backgrounds for much action will be used.

Problem and propaganda pictures do not loom large in the offing. However, there will be a sizable group of service pictures, including a half dozen comedies inspired by the draft. Virtually all studios will contribute to this cycle.

Due to the success of current "glorified westerns," big action films are certain to be continued.

In the musical comedy field, Paramount is banking heavily on "Love Thy Neighbor," with Jack Benny, Fred Allen and Mary Martin; "The Road to Zanzibar," with Bing Crosby and Bob Hope; "Second Chorus," produced by Boris Morros, and having a cast including Fred Astaire, Paulette Goddard and Artie Shaw.

"Ziegfeld Girl" will be one of M-G-M's important releases, while RKO is expecting much from "No, No, Nanette," produced by Herbert Wilcox and starring Anna Neagle.

Twentieth Century-Fox, already taking bows for "Tin Pan Alley," now has "The Road to Rio" in production. The Deanna Durbin lead the parade of Universal musicals. United Artists' musical comedies include "Road Show," made by Hal Roach, and "Pot o' Gold," to be produced by James Roosevelt's Globe.

Republic is releasing "Melody Ranch," which carries an extra budget and has a cast headed by Gene Autry, with Jimmy Durante and Ann Miller in support.

More Overseas Talent

The war having brought European production to an all-time low, leading producers, directors, actors and technicians have hurried here from England and the Continent.

Albert Basserman, considered Germany's leading stage actor for several years, conquered a strange language and American audiences with his work in many American-made pictures. Ernest Lubitsch gave Felix Bressart his "break" in "Ninotchka," and Bressart has been really busy since. Alexander Granach, another import, also made quite an impression in the picture.

Curt Bois, known as "the Eddie Cantor of Berlin," keeps busy, attracting much attention in Columbia's "Lady in Question." S. Z. Sakal, a character comedian, has appeared in several Universal pictures, as well as in "My Love Came Back," for Warner Bros. Lionel Royce, Ernest Deutsch and Ludwig Stoessel are character actors who are kept busy.

RKO has imported Michele Morgan, the French actress, and has also

Light Comedies, Musicals Are Expected to Head List Of 1941's Big Productions

brought Signe Hasso from Sweden. The studio is also expecting much from Alberto Vila, a South American actor, who makes his bow in "They Met in Argentina." Carmen Miranda, who registered strongly in "Down Argentine Way," for 20th Century-Fox, is now working in "The Road to Rio," at the same studio. RKO will groom Desi Arnaz, the Cuban, who appeared in "Too Many Girls."

Charles Laughton returned from England and is busy at RKO. Conrad Veidt also came back from England and has been working at M-G-M.

Korda, Pommer Both Active

Alexander Korda and Erich Pommer, who have produced here before, are again active in Hollywood. Korda directed and produced "Lady Hamilton" for United Artists while Pommer is producing for RKO. Dr. William Szekely will produce "New Wine," in association with Korda, for United Artists.

The Hakim Brothers, four in number, who produced in France, are here and are making production

(Continued on Page 8)

The 3 STOOGES

GO TO WAR . . . AND
THE WAR GOES NUTS!



"BOOBS IN ARMS"

A COLUMBIA SHORT-SUBJECT PRESENTATION

—NOW BOOKING!

MPPDA Budget Levels Retained for 1941

More Indie Producers in '41

Many Foreign Directors, Stars Active Here

(Continued from Page 7)

(Continued from Page 1)
that each company would have to arrange individually for the transfer of the allotted sums from Great Britain to the U. S., now that the remittance plan had been completed. The one-year agreement covering withdrawals of money calls for \$12,900,000. Hays told the Board that the remittance agreement was signed on Tuesday as published exclusively in THE FILM DAILY on Thursday.

Breen, Production Code Administrator, was given a vote of confidence by the directors who told him that he had been "doing a great job" and informed him that they were back of him 100 per cent in his activities.

The following attended Friday's session: Barney Balaban, Will H. Hays, J. H. Hazen, F. L. Herron, Sidney R. Kent, C. D. Pritzman, George J. Schaefer, Nicholas M. Schenck, A. Schneider and Murray Silverstone.

Maurice Akst, Musician, Dies

Freeport, L. I.—Maurice Akst, 68, first viola player in the Roxy Theater Orchestra from 1929 to 1935 and later, on the Rudy Vallee radio program, died at his home here Friday.

plans. Seymour Nebenzahl produced for M-G-M, but is expected to organize his own unit. Paul L. Stein is returning to Hollywood after an absence of several years in England. Andre Daven, who was a French producer, is with 20th Century-Fox.

Rene Clair, who directed in England and France, has joined Universal, while Julien Duvivier, who directed "The Great Waltz," for M-G-M, has returned from abroad. Kurt Bernhardt has attracted much attention by his direction of "My Love Came Back" and "The Lady With Red Hair," for Warner Bros.

"Package" deals, whereby a studio is supplied with a star, a story, a scenario director and a director in one agreement, are an innovation in Hollywood and seem destined to become popular. The Music Corporation of America is a leader in this movement.

Leading Men Scarce

Charles Feldman closed one of the first important "package" deals with 20th Century-Fox, giving that studio the services of Ronald Colman, Irene Dunn and Charles Boyer, with directors Lewis Milestone and Anatole Litvak.

There is still a shortage of leading men, with William Holden seeming to show the best possibilities of the new players. In fact, he seems destined for starring roles. He made his debut in "Golden Boy," for Columbia and his contract is shared by Paramount and Columbia. His work in "Arizona" is very noteworthy.

Twentieth Century-Fox has high hopes for Dean Jagger, who returned to the screen in "Brigham Young." M-G-M is setting store by John Shelton whose first assignment was "We Who Are Young." John Sutton, who had been free-lancing, is being given important roles at 20th Century-Fox and will be seen in "Hudson's Bay." Robert Sterling, who left 20th-Fox, will be groomed for leading parts at M-G-M.

Universal expects much from Broderick Crawford, who appeared in "When the Daltons Rode" and "Seven Sinners." Richard Carlson is being kept busy and has been used at RKO and other studios. Victor Mature, who was in three Hal Roach features, was borrowed by RKO for a leading role in "No, No, Nanette."

Martha Scott came to the front with a rush, due to her work in "Our Town" and "The Howards of Virginia." She will also be seen in "Cheers for Miss Bishop," just completed. Mary Martin is an important entrant at Paramount and her pictures include "The Great Victor Herbert," "Rhythm on the River" and "Love Thy Neighbor." Betty Field is another Paramount player who shows much promise, and did outstanding work in "Of Mice and Men" which Lewis Milestone produced for Hal Roach. She has just finished the feminine lead in "Shepherd of the Hills," which Henry Hathaway directed for Paramount.

20th-Fox Has New Talent

Betty Grable should prove very valuable to 20th Century-Fox, judging from her work in "Tin Pan Alley" and "Down Argentine Way." Another glamorous figure at 20th-Fox is Mary Beth Hughes, seen in "The Great Profile" and "Four Sons." The Zanuck studio also has a "comer" in Ann Baxter, who was also in "The Great Profile." Still another entry from the same plan is Gene Tierney, who is in "Hudson's Bay" and who played opposite Henry Fonda in "The Return of Frank James."

At Republic is the imitatable Judy Canova, who "clicked" in "Scatterbrain." Republic opened its purse-strings and paid a high figure for "Sis Hopkins," which will serve as a starring vehicle for Miss Canova. Columbia has been boosting Rita Hayworth's stock and she was borrowed by Warner Bros. to appear in "Sherry-Belle." M-G-M used her in "Susan and God," while her home lot assigned her to leads in "The Lady in Question" and "Angels Over Broadway."

More Indie Producers

The list of independent producers continues to grow. Frank Capra and Robert Riskin have completed "Meet John Doe," for M-G-M by Warners, while William Dieterle left the Burbank plant to produce on his own, with RKO as his outfit. Robert E. Sherwood is making "Legacy," for Columbia, and David L. Loew and his partner, Albert Lewis, are producing for United Artists. Samuel Bronston Productions has an important picture planned. Howard Hughes returns to production with "The Outlaw," starring Walter Huston, as the first of two 20th-Fox.

Jerry Brandt will make the "Scattergood Baines" series for RKO. George W. Weeks

Taxes Loom as Wis. Legislative Problem

(Continued from Page 1)

stiff opposition from theater owners, it is indicated.

With respect to labor, it is quite likely that an attempt will be made to repeal or modify the Employment Relations Act and it is also believed that amendments will be sought to unemployment compensation and workmen's compensation as well as bills to strengthen the labor code and the minimum wage and maximum hour law for workers.

Forrester Parant Attaches Miss Dietrich's Radio Fee

Forrester Parant Productions Friday filed an attachment against a \$2,000 fee due to Marlene Dietrich for a radio broadcast made on Dec. 12 and sponsored by Sealtest, Inc. Forrester Parant is suing for \$98,450 claiming that the defendant breached an agreement to make a French picture for the plaintiff.

is furnishing "The Range Busters" for Monogram. Jack Votion is piloting the "Lum and Abner" pictures for RKO. Vogue made "Lil' Abner" for the same company.

There has been much change in the "series" field. The "Jones Family" group fell by the wayside, but 20th Century-Fox is continuing with the "Cluco Kid" series. Little has been done recently on the "Charlie Chan" but the company is keeping Sidney Toler under contract and production on further "Chans" is expected soon.

Metrol, Series Leader

Metrol continues to lead in the number of series, having the "Andy Hardy's," "Dr. Kildare," "The Thin Man" and "Nick Carter" on its schedule. Columbia is continuing the "Blondies," while William Stephens and Howard Lang are continuing to furnish RKO with the "Dr. Christians."

The exceedingly successful Hop Along Cassidy series, produced by Harry Sherman, will be continued for Paramount release. A newcomer in the series field is the "Ellery Queen" group, produced by Larry Dourmont for Columbia release.

Universal has the "Baby Sandy" series, while Monogram has added the "Range Busters," produced by George W. Weeks. Monogram is also releasing a group featuring the "East Side Kids," which is being made by Sam Katzman. Republic is still sponsoring the "The Mesquiteers."

Band leaders are making their presence felt in Hollywood-made products with Kay Kyser having already appeared in two pictures this year. Duke Ellington and his orchestra, directed by David Butler, for RKO. The same company has also just finished "Malvina Swings It," which has a cast headed by Duke Ellington and his band. An independent deal is also pending, which may bring Glenn Miller and his outfit to the screen.

Negro pictures than usual were produced during the year. Harry Popkin starred Kenny Washington, the U.C.L.A. gridiron star in one, while Richard C. Kahn, Jed Met in Argentina, and in another, among others who made offerings with all-Negro casts.

Production of Spanish pictures is almost nil, although Hollywood is not overlooking South America as a locale for stories. Twentieth Century-Fox has "The Road to Rio" before the cameras, while RKO has set "They Met in Argentina" for immediate production. Producer-Director Wesley Ruggles is making a tour of South America.

The annual report and forecast, both supporting the finding that the American film industry, conscious of its increased responsibilities at home and overseas, definitely measuring its manpower and physical and financial resources, in courage and determination, the industry is prepared to see that the show indicated goes on and in perfection of entertainment.



NICE GESTURE

Cesar Romero, as the Romeo of the rackets, introduces pretty touch in gangland by introducing boys he is supposed to have rubbed out.

TALL, DARK and HANDSOME

20th's natural! . . . loaded with laughs! thrills! tunes!



Intimate in Character
International in Scope
Independent in Thought

THE Film DAILY

The Daily Newspaper
Of Motion Pictures
Twenty-Two Years Old

VOL. 78, NO. 127

NEW YORK, TUESDAY, DECEMBER 31, 1940

TEN CENTS

MEEHAN K-A-O STOCK, OPTIONS TO ATLAS

★ Happy New Year! ★

★ Happy New Year! ★

★ Happy New Year! ★

Para. to Draft Simplified Decree Selling System

Assignment Goes to "Pat" Scollard, Named Executive Assistant to Neil Agnew

C. J. "Pat" Scollard yesterday was named executive assistant to Neil F. Agnew, vice-president in charge of sales for Paramount. Scollard for the last two years has been affiliated with Paramount in various capacities, recently as contact between the sales and advertising departments.

Scollard's specific function will be to work out a plan of operation under the consent decree. Being an efficiency expert, he will be assigned the task of formulating a simplified system of selling under the new requirements. He starts his new duties on Monday.

★ Happy New Year! ★

Close Havana Houses As Result of Decree

Havana (By Air Mail)—Continuing their fight for repeal or amendment of the anti-block-booking decree, a delegation of exhibitors and distributors have submitted a further petition to Dr. Jose T. Onate, Minister of Commerce, revealing that first-run houses in Havana are start-

(Continued on Page 6)

★ Happy New Year! ★

Expect Argentina's Ban On "Dictator" to Stand

Buenos Aires (By Cable)—Despite general condemnation by press and public of the Italian-inspired ban on "The Great Dictator," scheduled for a triple premiere here Jan. 2, edit-

(Continued on Page 6)

Monogram in First Tune Tie-up With BMI

West Coast Bureau of THE FILM DAILY

Hollywood—First film to be exploited musically by BMI will be Monogram's "Her First Romance." Arrangement calls for published sheet music, special disc recordings, orchestration, etc. Tunes are "Love is Life" and "Star of Love," by Gregory Stone and S. Charles Caine.

NEWS HIGHLIGHTS OF 1940

I
THE NEW YORK EQUITY SUIT, insofar as the "Big Five" are concerned, ends with a consent decree, plus rules of arbitration, despite intense exhibitor opposition. The "Little Three" decline to sign, elect to fight on.

II
INDUSTRY ARBITRATION MACHINERY takes shape, with former Federal Judge Van Vechten Veeder designated as chairman of the Appeals Board. The American Arbitration Association appoints necessary committees, etc.

III
ON THE LEGISLATIVE FRONT, the House of Representatives, by Commerce Committee action, dooms the Neely anti-block booking measure which had passed the Senate. Federal divorce legislation is introduced in the Senate, makes no progress.

IV
THE WAR continues to further shrink industry overseas revenues as spreading hostilities see a total of 11 countries closed to American films. The domestic market, improving, and operating economies largely offset losses abroad.

(Continued on Page 4)

Paramount Defines Employee Relations

West Coast Bureau of THE FILM DAILY

Hollywood—Paramount, in a move without precedent in studio history, has addressed a statement setting forth in detail its industrial relations policies to its 2,750 employees here. Statement fills an eight-page pamphlet, which carries a preface by Y. Frank Freeman.

Emphasis is on the mutuality of problems relating to individual earnings, safety, working conditions,

(Continued on Page 6)

Newsreels to Offset Radiocasters' Lure

Toledo — Designed specifically to meet the competition of radio news broadcasts, policy of Wally Caldwell's new 900-seat Esquire calls for the showing of what is claimed to be the longest news sequence shown anywhere in Ohio. Caldwell will be contracted for four reels which he will edit for continuity and to eliminate duplicate shots.

Caldwell reasons that most of the radio news is broadcast during early

(Continued on Page 6)

Broadway Biz Boom Continues "Philadelphia Story", "Neighbor" Scoring

Brandt Drops Hepburn From "B. O. Poison" List

Harry Brandt, who once branded Katharine Hepburn as being "box-office poison," yesterday scratched her name off the list as reports came in on the record-breaking business of her new picture, "The Philadelphia Story."

In a statement yesterday, Brandt

(Continued on Page 6)

Holiday business continued to boom along Broadway yesterday. Long lines at the Music Hall for the fifth consecutive day pointed to the possibility of an all-time record for the week, while a four-day record already has been established by "The Philadelphia Story." In four days the picture brought in 110,168 patrons.

The Paramount winds up its second week of "Love Thy Neighbor"

(Continued on Page 6)

Had Been Sought by Both R-K-O and Rockefellers; Subject to Voting Trust

Atlas Corp. yesterday announced that it had purchased a portion of M. J. Meehan's holdings of Keith-Albee-Orpheum preferred stock with an option on the remaining shares. Previously it had been reported that Meehan's holdings were being sought as well by both the Rockefeller interests and RKO.

Stock purchased is subject to the terms of a voting trust whereby representatives of Meehan will ex-

(Continued on Page 6)

★ Happy New Year! ★

Hayman Asks MPTOA Rochester Conclave

Charley Hayman, MPTOA leader in Buffalo, is trying to get the organization's convention to Rochester, even though all indications point to a West Coast conclave. It is reported that Hayman is exerting

(Continued on Page 6)

★ Happy New Year! ★

Rudy Vallee Enters Automatic Projector Field

West Coast Bureau of THE FILM DAILY

Hollywood—Rudy Vallee has entered the automatic projector field as president of Vis-o-graph Corp. of America. The new company plans

(Continued on Page 6)

Tele In New Yorker Early In New Year

Installation by RCA of its television theater screen and equipment in the New Yorker Theater is expected to be completed within the next few weeks. No definite date has been set yet for the first demonstration, but it is expected to take place within the next two months. Number of new improvements are claimed for the RCA system, said to enlarge pictures without loss of definition.

THE JIM DAILY

ALL THE NEWS
ALL THE TIME

Vol. 78, No. 127 Tues., Dec. 31, 1940 10 Cents

JOHN W. ALICOATE : : : : Publisher

DONALD M. MERSERAUE : General Manager

CHESTER B. BAHN : : : : Editor

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Representatives: HOLLYWOOD, Calif.—Ralph Wilk, 6425 Hollywood Blvd., Phone Granite 6607. LONDON—Ernest W. Friedman, The Film Center, 127-137 Wardour St., W. 1. PARIS—P. A. Harle, Le Film, 29 Rue Marceau (12). MEXICO CITY—Marco Aurelio Galindo, Depto. 215, Calle del Sindicalismo, 99, Tacubaya, D. F.

FINANCIAL

(Monday, Dec. 30)

NEW YORK STOCK MARKET

	High	Low	Close	Chg.
Am. Seat.	7 3/4	7 1/2	7 3/4	— 3/8
Col. Pict. vts. (2 1/2%)	5 1/2	5 1/4	5 1/2	— 1/8
Columbia Pict. pfd.	—	—	—	—
Con. Fm. Ind.	1 1/2	1 1/4	1 1/2	— 1/8
Con. Fm. Ind. pfd.	7 7/8	7 1/2	7 7/8	— 1/8
East. Kodak	138 1/2	136 1/4	138	+ 2
do pfd.	—	—	—	—
Gen. Th. Eq.	12 1/2	12 1/4	12 1/2	— 1/8
Loew's, Inc.	32 3/4	31 3/4	31 3/4	— 1/2
do pfd.	108 1/2	108 1/4	108 1/2	+ 1/2
Paramount	10 5/8	10 1/4	10 1/4	— 1/8
Para. 1st pfd.	—	—	—	—
Para. 2nd pfd.	10 1/2	10 3/4	10 1/2	— 3/8
Pathe Film	9 1/2	9 1/4	9 1/4	— 1/8
RKO	3 3/4	3 3/8	3 3/4	— 1/8
RKO 5th pfd.	4 3/4	4 1/2	4 3/4	+ 1/2
20th Century-Fox	6 1/2	5 7/8	6	— 1/2
20th Century-Fox pfd.	18	18	18	— 3/8
Univ. Pict. pfd.	117 1/2	117	117	+ 6
Warner Bros.	3 1/2	2 7/8	2 7/8	— 1/8
do pfd.	—	—	—	—

NEW YORK BOND MARKET

Keith B. F. ref. 6-46	—
Loew's deb. 3 1/2% 46	—
Para. 8 way 3 1/2% 52 1/2	52 1/2
Para. Pict. cv. 3 1/4% 94	94

NEW YORK CURB MARKET

Monogram Pict.	—
Sonotone Corp.	1 1/4
Technical	9
Trans-Lux	3 1/4
Universal Corp.	5 1/4

★ Happy New Year! ★

Sam Dembow Conquiescing

Sam Dembow, Jr., Paramount theater executive who was recently hurt in an auto accident, is making good progress and now resting comfortably at home. He will probably remain there for another month.

GENERAL FILM LIBRARY, INC.

WORLD'S LARGEST
"STOCK SHOT" LIBRARY—
OVER 20 MILLION FEET OF
INDEXED NEGATIVES IN STOCK
1600 BROADWAY, N.Y.C.
Circle 6-0081-2-3-4



● ● ● The "Best Pictures" poll idea.....original with THE FILM DAILY nearly two decades ago.....continues to inspire emulative efforts.....both at home and abroad.....As critics throughout these United States.....place the final ballots in the mails.....to meet the Dec. 31 midnight deadline.....of THE FILM DAILY's 1940 "Ten Best" election.....the first parallel contest in Canada.....is in full swing.....under the auspices of the Canadian Motion Picture Exhibitor.....With the Dominion for practical purposes.....regarded as part of the American domestic market.....it will be interesting indeed.....to compare the U. S. "Best Ten" results.....with those of the Canadian symposium.....

● ● ● MEANWHILE, from Havana come.....the "Eleven Best" pictures of 1940.....as voted by the Federation of Theater, Motion Picture and Radio Writers.....The Cuban poll, like the Canadian, is a 1940 innovation.....deriving its stimulus from THE FILM DAILY'S pioneer enterprise.....Why eleven rather than ten "Bests"?.....Well, it seems the Federation provided for two classifications.....Spanish-language films.....and pictures in foreign languages.....with five to be named in the former column.....and six in the latter.....

● ● ● FOREIGN language winners are.....GWTW....."Rebecca"....."Le Fin Du Jour" (French)....."The Grapes of Wrath"....."Mr. Smith Goes to Washington".....and "The Hunchback of Notre Dame".....Pictures in Spanish to score are....."Asi Ed La Vida" (Argentine)....."Pobre Diablo" (Mexican)....."Fragata Sarmiento" (Argentine)....."Melodias De Antano" (Mexican).....and "La Dolores" (Spanish).....Gala presentation of awards is planned for January in Havana.

Farnol Will Open Public Relations Office Feb. 1

Lynn Farnol, former director of advertising and publicity for United Artists, plans to open his own public relations bureau about Feb. 1. Initial accounts are expected to be outside of the motion picture business, although he may handle amusement clients later.

Farnol leaves today for the South with New Orleans his destination. Trip is in connection with a book he is writing on the coffee industry. He plans to return to New York about Jan. 20.

★ Happy New Year! ★

C. S. Chaplin to Manage UA's Montreal Exchange

St. John, N. B.—C. S. Chaplin, United Artists manager here, has been appointed manager of the Montreal branch. Succeeding him here is George Feiber, promoted from office manager.

Chaplin has been at the St. John office for seven years. Both Chaplin and Feiber were transferred to St. John from Toronto.

\$489,810 in Panorams Contracts in Michigan

Grand Rapids, Mich.—Panorams contracts already set in Michigan total \$489,810, it was reported here as the Mills-Roosevelt slot machine movies had their first trade showing in the state. First installation locally is in the Rowe Hotel; eight other situations here are expected to have Panorams and Soundies within two weeks.

Specialty Machines Corp., headed by George Barnes, has signed with Mills-Roosevelt for a five-county franchise.

★ Happy New Year! ★

Briggs to Name Production Supervisor for PRC Setup

A supervisor of production for Producers Releasing Corp. will be named late this week, according to O. Henry Briggs, president. New man, as yet not revealed, will co-ordinate the various production units. Extensive shooting schedule gets under way shortly after the new year.

★ Happy New Year! ★

423 "Four Mothers" Dates

"Four Mothers" opens in 423 situations during this week.

COMING and GOING

A. M. GOODMAN, United Artists branch manager in Cleveland, returns to that city after the first of the year following recuperation in Florida from a serious illness.

LAURENCE OLIVIER and his wife, VIVIAN LEIGH, are en route to Europe on the Excambion.

JOSEPH BURKE, 20th-Fox auditor, returns to New York this week from St. Johns, New Brunswick.

CARMEN MIRANDA returns here the middle of January.

MERIAM C. COOPER is here from the Coast.

WILLIAM REISINGER, manager of the Bijou, New Haven, made a flying visit to Dayton, O., to visit her mother during the holidays.

TIM O'TOOLE, manager of the Columbia exchange, New Haven, is visiting in Harrisburg, Pa. for a week. DAVE LIFTON, newly appointed ad. and pub. director for Columbia, arrives here Thursday from the Coast.

BERNIE KREISLER, short subject sales manager for Universal, returned yesterday from a Midwest tour.

FRANCES LEVIN, secretary to William A. Scully, "U" sales chieftain, is vacationing in Florida.

WELDON WATERS, Paramount Albany salesman and MRS. WATERS are passing the holiday vacation in Cleveland, O.

JOE MILLER, Columbia branch manager at Albany and his family are in New York until after New Year's.

AL LIGHTMAN returns to the Coast late this week.

DAVID HEMPSTEAD, RKO producer, is here for a short vacation.

★ Happy New Year! ★

Para. Execs. on Dais As Ampa Hears Balaban

John C. Flinn will introduce Barney Balaban, Para. prexy, and other speakers at Ampa's luncheon meet at the Edison Jan. 9. In addition to Balaban, Para. execs. on the dais will include Stanton Griggs, Adolph Zukor, Austin Keough, Neil Agnew and John Hicks.

★ Happy New Year! ★

To Ask Bowling Alley Regulation by State

Albany—According to the Rev. O. R. Miller, editor of the Civic Bulletin, the New York Civic League will sponsor legislation to regulate bowling alleys at the coming legislative session. Fixed hours for operation, etc., will be sought.



JANUARY 1

William Haines
Jay Rescher
J. Don Alexander
Al Martin

William Fox
Horis Morros
William Koenig
Charles Bickford

HIGH SIERRA

"HIGH SIERRA is an excitement-loaded yarn if ever I knew one! On film it's a world-beater!"
Newspaperdom's acknowledged No. 1 Story-Teller
MARK HELLINGER

"HIGH SIERRA is the most thrilling and unusual picture I have directed since 'What Price Glory'!"
Director of a hundred Hits, **RAOUL WALSH**

"My story to top 'Little Caesar' is **HIGH SIERRA!**"
Famed Author, **W. R. BURNETT**

HIGH SIERRA
Starring
IDA LUPINO
HUMPHREY BOGART
with
Alan Curtis • Arthur Kennedy • Joan Leslie
Henry Hull • Henry Travers
Directed by **RAOUL WALSH**
Screen Play by John Huston and W. R. Burnett
From the Novel by W. R. Burnett

Soon from Warners!

Headlines Trace Year's History of Industry

Consent Decree, Industry Arbitration System and the War in Sharp Relief

— JANUARY —

- 2—RCA to introduce theatrical television in 1940, David Sarnoff announces.
- 3—James Roosevelt fight to Supreme Court.
- 4—U. S. Supreme Court kills attack on RKO reorganization.
- 5—Pandora S. Berman to join Metro as producer.
- 6—James Roosevelt closes distribution deal with United Artists.
- 7—Defense must ask for Consent Decree, says Thurman W. Arnold.
- 8—Charles B. Mintz, president of Screen Gems, Inc., dies on Coast.
- 9—Henry Davis, pioneer U. S. exhibitor, dies in Pittsburgh.
- 10—Robert Jackson succeeds Frank Murphy as United States Attorney General; D of J trust policies unchanged.
- 11—Goldwyn-Warner "Westerner" deal dropped on advice of Warner Bros. attorneys.
- 12—Referee orders liquidation of Grand National.
- 13—Mayor LaGuardia wants 27 per cent of pictures produced in East.
- 14—B & K seeks television station permit in Chicago.
- 15—New studio strike averted at Producers-IATSE conflict.
- 16—U. S. Consent Decree stand finds majors cool.
- 17—George W. Weeks resigns as Monogram general sales manager to produce.
- 18—Sam Sax resigns after 12 years with Warners. Film industry assails provisions of Copyright Bill.
- 19—U. S. critic veto "Goodbye Mr. Chips" as 1939's best picture in 18th FILM DAILY Poll.
- 20—Liquidation of RKO reorganization speeded by court's order. New company's capitalization, \$8,130,000.
- 21—Du Mont fights proposed television regulations as "trial-jacket."
- 22—National Board of Review of Motion Pictures names Dr. A. A. Brill, chairman.
- 23—U. S. to examine 26 top execs. in Equity suit.
- 24—Percentage pictures, strike menace and trade relations before Allied directors at Washington.
- 25—Federal Judge Henry W. Goddard designated to hear Government Equity suit.
- 26—Murray Silverstone signs Gabriel Pascal to produce for UA.
- 27—Loew stockholders reject motion to increase board.
- 28—Government refused writ to halt Schine lawsuit against exhibitors.
- 29—National Allied proposes definite arbitration system.
- 30—SEC report reveals new \$5,000,000 Warner financing.
- 31—Walter Wanger elected president of Motion Picture Academy.
- 32—Court orders trustee to transfer RKO assets to new company.
- 33—National Allied to campaign for immediate arbitration; Cole and Myers re-elected.
- 34—J. J. Malcolm Kingsberg named KA-O, B. F. Keith, vice-president; W. J. Merrill to be RKO treasurer.
- 35—Edwin Carewe dead at 57, after heart attack.
- 36—Sam Dembow, Jr., to be named Paramount vice-president in charge of theaters.
- 37—New Italian pix setup unsatisfactory to U. S.
- 38—Three possible approaches to film legislation weighed by House block.
- 39—AF of M and IATSE upheld in legal fight against "canned" music.
- 40—RKO assets transferred, leaving single step to complete reorganization.
- 41—Linden (Baltimore) anti-trust action settled.
- 42—Harry Poynter named sales head of Empire-Universal Films of Canada.
- 43—Pathe Labs., Inc., completes purchase of Cinema Labs. assets on Coast.
- 44—British Films Council approves retention of quota.
- 45—Neely proponents want unfair advantage, asserts George J. Schaefer.
- 46—Kentucky enacts tax of 20 cents per seat.

— FEBRUARY —

- 1—Educational Pictures, Inc., files as bankrupt, seeks liquidation.
- 2—Moral issue eliminated in Neely campaign, says Col. H. A. Cole.
- 3—U. S. film exports slump sharply; Brazil market, Dept. of Commerce reports.
- 4—D of J moves to strike defense interrogatories in Equity suit.

NEWS HIGHLIGHTS OF 1940

(Continued from Page 1)

ANTI-TRUST litigation continues to hold the spotlight. In late December, the Department of Justice announces impending criminal prosecution of Ascap, BMI, NBC and CBS under the Sherman Act. Criminal contempt actions against B & K, FWC and the majors are terminated.

DEATH takes further toll of industry pioneers—Daniel Frohman, Tom Mix, Marguerite Clark, Edwin Carewe.

LIMITED COMMERCIAL TELEVISION is authorized by the FCC, which later rescinds the authorization. CBS introduces color television. NBC starts installing theatrical television equipment in the New Yorker Theater.

EXTENDED BRITISH REMITTANCE negotiations conclude with an agreement upon the withdrawal of \$12,900,000 during the war's second year.

"GONE WITH THE WIND" in its first release period rolls up the unprecedented domestic gross of \$23,500,000 (estimated).

WALT DISNEY'S "FANTASIA" astounds and delights as it introduces Fantasound and utilizes the cartoon to interpret musical classics.

—BAHN.

Co-operative Theaters of Michigan lashes at Neely measure as fourfold threat to industry.

5—\$3,500,000 GWTW seven weeks' gross sets all time high in speedy "takes."

6—W. J. Merrill named RKO treasurer, William Hallard leaves board, stays as general counsel.

7—U. S. Academy elected AMPSP proxy.

8—Industry arbitration system doubtful till Equity suit ends.

9—Co-operative Theaters of Michigan asks mandatory arbitration in Neely Bill amendment.

10—National Poster Service Association reported dissolving.

11—Radio give-away complaint referred to the D of J by FCC.

12—Conspiracy action against MPDPA and majors dropped by Lenore Amusement Co.

13—Henry A. Lydecker, veteran film carrier, dies in Boston.

14—Louis B. Mayer says 70-30 per cent policy on GWTW successful.

15—D of J probes theater building restrictions in Frisco.

16—Federal regulation aspect of Neely Bill alarms U. S. press.

17—Willard C. Patterson, Warner exec., dies in Palm Springs.

18—Henry Ginsberg joins Paramount as Y. Frank Freeman aide.

19—21 major poster renters bought by Advertising Accessories, Inc., National Screen subsidiary.

20—Industry school tie-up booms 16 mm sales.

21—Samuel Goldwyn asks court decree UA pact cancelled.

22—Storm in East cuts big 50-60 per cent, closes some houses.

23—IATSE organizes technicians in television field.

24—J. J. Nolan named vice-president in charge of RKO studios.

25—British-owned securities of Loew, Paramount, RCA and DuPont must be sold by Government order.

26—Wilton Barrett, National Board of Review executive secretary, dies.

27—Janet Amusement Corp. of West Orange files \$280,500 anti-trust suit against MPDPA and majors.

28—James Roosevelt to make nickel-in-slot picture.

29—Tennessee anti-Ascap law ruled unconstitutional.

30—\$4,000,000 financing for Walt Disney through stock issue.

31—HARRY RATHER to head revamped PDC, PPC. GWTW gross hits \$10,600,000; first-run take of \$23,000,000 seen.

32—Frank Hollingsworth, Beatrice, Neb., exhibitor, files \$234,000 anti-trust suit.

33—Italy considers U. S. distributors' terms for return.

34—All majors define policies on cancellations at Ohio ITO's request.

35—D of J ask court to ban intimidation attempts by majors in Equity suit.

36—Netcom Amusement Co. new anti-trust suit in N. J. asks \$330,000 bail.

— MARCH —

1—M. P. Academy votes GWTW year's best picture; awards Irving Thalberg Memorial Trophy to David O. Selznick.

2—FCC okays limited commercial television to start Sept. 1.

3—Theater operators see television's "Green Light" as film's "Red Signal."

4—Court cites possibility of settlement of New York Equity suit.

5—Cosmopolitan Productions' deal with 20th-Fox expires.

6—Ed Kuykendall urges trade reforms by contract.

7—Government plea for order banning intimidation is denied in Equity suits.

8—20th-Fox negotiating for outside product.

9—Courter Amusement Co. (N. J.) asks \$574,200 damages in anti-trust suit against majors.

10—U. S. bares 500 Equity suit witnesses.

11—789 out of 899 Texas theaters oppose Neely Bill passage.

12—Alternatives for Neely bill sought by MPTOA.

13—See \$6,000,000 as Equity suit's minimum cost.

14—\$7,950,000 Republic gross in 1938 is gain of 7 1/2 per cent.

15—Government to try, not settle Equity suit, says Thurman W. Arnold.

16—Fine Arts leaves Grand National Studios to make 26 pix in 1940-41.

17—Earl J. Hudson named president of United Detroit Theaters Corp.

18—Tele takes three forward steps in challenge to pix as RCA cuts set prices 1/3, sets promotion drive, adds programs.

19—Disney plans own distribution setup for "Fantasia"; to restrict bookings.

20—RCA television stations for Philadelphia, Chicago, Washington.

21—Samuel Bronston forms new producing company.

22—Frederic Ullman, Jr., named RKO producer; Frank Donovan appointed Pathe News vice-president.

23—Italy lifts restrictions on private distributors' purchase of foreign films.

24—Move to end triples in Chicago in prospect.

25—Columbia to spurn any equity suit consent decree.

26—Dan Michalove reports Hoyts-GUT merger progressing, on return from Australia.

27—Philly trust suit attacks Warner clearance schedule as "arbitrary."

28—UA, Universal reported call to Consent move.

29—Famous Players Canadian reports \$904,324 profit for 1939.

30—World section of American films holds at 65 per cent, Department of Commerce reports.

31—Producer-theater tie essential, says Y. Frank Freeman in equity suit pre-trial examination.

32—World film theaters advance 4,313 to 67,129 in 1939, Department of Commerce reports.

33—FCC revokes order permitting commercialized television.

34—Film industry too complex for split, says Will H. Hays in annual report.

35—U. S. Supreme Court okays 20 per cent award in "Lety Lynton" plagiarism case. \$4,146,813 net for 1939 reported by 20th-Fox.

36—\$1,234,523 RKO net reported for 1939.

37—Consent decree reports "premature," says head of D of J Consent Decree Division.

38—K-A-O reports net profit of \$976,621 for 1939.

39—20th-Fox proposes new 5-year Darryl Zanuck contract.

40—Douglas lectures "bad practice," Neil Agnew tells Government in New York equity suit pre-trial examination.

41—Kentucky to collect 15 per cent levy on all prices offered with amusements, under new law.

42—Arbitration "with teeth," consent decree plan of Department of Commerce.

43—IATSE decides against walkout call in Philadelphia.

— APRIL —

1—D of J integration stand seen bar to consent plan.

2—U. S. proposes discrimination cure for control of licensing to newly acquired circuit theaters.

3—U. S. pix gain in foreign screen time in 1939, receipts fall.

4—Government discloses 103 more exhibits as suit witnesses; expects to show coercion in theater buying.

5—Griffith interests acquire 30 houses of Isleym Circuit in Oklahoma and Missouri.

6—Pathe Films 1939 net at \$424,489.

7—John Maxwell's Mayflower Productions stock sold to RKO.

8—GTE reports 1939 net of \$696,063.

9—Independent Exhibitors, Inc., notifies U. S. it opposes any consent decree plan.

10—Congress may get revised Department of Commerce consent plan.

11—Allied weighs Department of Commerce's consent decree plan; first units emphatically opposed.

12—\$21,537,577 profit for Eastman Kodak in 1939.

13—Henry Ginsberg named head of Paramount studios operations.

14—MPDPA re-elects Will Hays president for the 19th consecutive year; Walter Wanger named to the Board.

15—British exhibitors in drive for lower film rentals.

16—D of J plan no substitute for Neely Bill, says sponsor.

17—Matthew W. Carroll, treasurer of National Theater Supply Co., dies.

18—American companies asking quadruple British quota credits.

19—Lack of unity by majors said bar to consent decree.

20—Lou Diamond, Paramount executive, dies suddenly.

21—New Italian plan proposes to barter for U. S. films.

22—Western independent circuits form Theaters Security Corp. with C. E. Hush as president.

23—Block booking control clause dropped from Department of Commerce's consent decree proposals.

24—Theater Divorcement Bill introduced in the U. S. Senate by Sen. Matthew M. Neely.

25—British deny planning restrictions on U. S. film imports.

26—\$4,000,000 Scandinavian market menaced by Nazi drive.

27—Bell Telephone Labs. demonstrates Stereophonic sound at Carnegie Hall, New York.

28—Boris Morros forms National Picture Corp. to produce.

29—Phonovision Corp. of America organized to enter coin pix field.

30—David O. Selznick advocates board to re-vamp the MPDPA production code.

(Continued on Page 7)

WHEN IS NEW YEAR'S?

Happiness begins with

"CHAD HANNA"
IN TECHNICOLOR

You do your bell-ringing with

PAUL MUNI in
"HUDSON'S BAY"

Champagne flows for showmen with

**"TALL, DARK
AND HANDSOME"**

You really celebrate the day you play

"WESTERN UNION"
IN TECHNICOLOR

And the entire industry will be dating things from

"TOBACCO ROAD"
... on the screen at last!

***It's every day
...with 20th!***

**20th
CENTURY
FOX**

Meehan K-A-O Stock, Options to Atlas

(Continued from Page 1)

ercise voting rights for an extended period of time if the option is not exercised.

Meehan's shares are said to represent more than 30,000 shares of the 64,000 outstanding K-A-O preferred. Should Atlas acquire all Meehan holdings, it probably would represent an investment in excess of \$4,000,000.

Their purchase was considered by RKO in November but action was deferred by the board because of "current world conditions affecting the industry," according to a statement by President George J. Schaefer.

It generally was believed in the trade that the purchase of the Meehan holdings, or any part of them, would be withheld until market conditions improved or became more stabilized.

K-A-O average annual earnings are said to approximate \$1,000,000. Company has a large cash reserve.

Atlas' move increases its holdings in the RKO "family." As of June 30, last, Atlas held 29,881 shares of RKO 6 per cent cumulative convertible stock valued at \$1,075,725.40; also 892,418 shares of RKO common, valued at \$2,497,256.25, and 327,811 RKO warrants valued at \$122,929.41.

★ Happy New Year! ★

Only Col., Rep. and WB Start New Pix This Week

West Coast Bureau of THE FILM DAILY

Hollywood — Three pictures are scheduled to start this week.

At Columbia: Two shooting, plus one to start on Friday. Latter is "They Dare Not Love," drama, adapted from James Edward Grant's short story by Ernest Vajda. Martha Scott and George Brent have the leads. James Whale directing the Sam Bischoff production.

At M-G-M: Six shooting.
At Paramount: Four shooting.
At RKO: Three shooting.
At Republic: Two shooting, plus "Citadel of Crime," mystery story, starting Thursday; John Auer directing for producer Armand Schaefer. Original screenplay by Isabel Dawn.
At 20th Century-Fox: Five shooting.

At Universal: Two shooting.
At Warners: Four shooting, plus one to go Friday. Latter is "Thirty Days Hath September" with Eddie Albert, Joan Leslie and Alan Hale. Ray Enright directing.

James Roosevelt's "Pot O' Gold," and Hal Roach's "Broadway Limited," shooting. Both for United Artists release.

★ Happy New Year! ★

"Hudson's Bay" In Romy Jan. 9

"Hudson's Bay" has been set by 20th-Fox to open Jan. 9 at the Romy, following "Chad Hanna," currently there.

Royal Air Force Attacks on Berlin Reduce Nazi Theater Grosses Approximately 50 P. C.

Zurich (By Air Mail)—Royal Air Force raids have reduced theater grosses in Berlin approximately 50 per cent, while production in studios in the vicinity of the Nazi capital has been cut 40 per cent, according to information received here.

Berlin theaters, however, have suffered little material damage from the British raids; all but three are understood to be operating. In Charlottenburg, Berlin suburb, all houses have been forced to close.

Seventy-five per cent of theaters in the Rhineland are dark. Hamburg and Bremen, repeatedly targets for English raids, have put into effect a 7 p.m. curfew.

Close Havana Houses Newsreels to Offset As Result of Decree Radiocasters' Lure

(Continued from Page 1)

ing to close as of this week. First house to shutter is the El Encanto. The Fausto, Auditorium, Trianon, Riviera and Radio Cine will close this week or next. The only first-run houses in Havana which will remain open are the National and Payret, serviced by Spanish, Mexican and Argentinian films.

The petition reiterates the ruinous aspects of the decree insofar as the entire industry is concerned, and stresses the fact that the National Union of Exhibitors, whose membership comprises 85 per cent of all the exhibitors in Cuba, is opposed to the decree. It is also pointed out that Government revenues are going to be adversely affected due to a drop in theater taxes and custom revenues.

Regarding the suggestion that Cuban actors be billed so many times a week by every theater, the petition points out that the acts that are good get continuous work and that a house taken over by the Government for this specific purpose, was a conspicuous failure.

★ Happy New Year! ★

Expect Argentina's Ban On "Dictator" to Stand

(Continued from Page 1)

will stand, it is indicated. Triple premiere was to have benefited the semi-official Board of Aviation, the Argentine Commission for Aid to the Allies, headed by the Mayor of Buenos Aires, and the Ladies' Benevolence Fund, whose president is the wife of Argentina's vice-president.

"Dictator" was screened for the press yesterday, with Argentine Congressmen also in the audience. The British ambassador, following the showing, expressed regret that the ban prevented South Americans from hearing Chaplin's masterly defense of democracy.

★ Happy New Year! ★

May C. Kelley Promoted

William M. Cotton, president of the Ideal Publishing Corp., announces the appointment of May C. Kelley as vice-president and editorial director of the Ideal Women's Group, (Movie Life, Movies, Personal Romances, Movie Stars Parade).

(Continued from Page 1)

evening hours, thus keeping at home many people who might otherwise go to the movies. He will offer the visual news coverage as an incentive to attend the theater.

In addition, Caldwell will offer single feature bills whereas other Toledo spots are playing duals. He also will feature organologues.

Caldwell resigned as manager of Loew's Stillman, Cleveland, to take over the Esquire, erected by the Libby Owens Glass Co.

★ Happy New Year! ★

Brandt Drops Hepburn From "B. O. Poison" List

(Continued from Page 1)

said: "Miss Hepburn's award from the New York critics for having given the best performance of the year, coupled with the all-time high attendance record being set by 'The Philadelphia Story' in New York, reminds me that I did give Miss Hepburn top billing in my Box Office Poison list two years ago. When I published my list I sincerely felt that Hepburn and box-office were allergic. But perhaps some astute producer like M-G-M was not then able to present her in the type of vehicle in which her full talents flowered as they do in 'The Philadelphia Story.' All right, that's that. And I'll play Hepburn and 'The Philadelphia Story' gladly."

★ Happy New Year! ★

Rudy Vallee Enters Automatic Projector Field

(Continued from Page 1)

to place at least 20,000 machines throughout the United States during 1941. Vallee said 32 distribution offices are being opened in the United States to place film in the hands of exhibitors.

Vis-o-graph machines are using 20 by 26-inch screens which are made of plastic material. Machines are already in use in Guam, Wake and Midway Islands and arrangements are being made to send new films regularly via Clipper.

The company has already made films featuring Vallee, Gertrude Niesen and the Shadrack Boys, a team of Negro entertainers.

Broadway's Biz Boom Continues

(Continued from Page 1)

tonight with an estimated gross of approximately \$80,000, including tonight's New Year's Eve shows at a scale ranging from \$1.10 from 7 to 8 P. M. and \$1.50 from 8 P. M.

"Santa Fe Trail" was headed for a bigger second week at the Strand than its first, with biz at capacity. The Roxy was doing big business with "Chad Hanna," and "Victory" bettered its first week at the Rivoli. The Capitol continued to play to capacity business all day with "Comrade X" after a tremendous week-end.

Standout business was reported in every other house on the street since the day before Christmas. Only drop-off was Sunday night during President Roosevelt's radio broadcast. Both the first-runs and the neighborhoods experienced a letdown in the pace starting at 9 P. M.

★ Happy New Year! ★

Paramount Defines Its Relations to Employes

(Continued from Page 1)

quality and quantity of output, and efficient and economical operation.

Paramount places itself squarely on record in this statement as recognizing the right of collective bargaining, and undertakes to maintain complete impartiality in disputes over jurisdiction.

Discussing stabilization of employment, the statement declares that regardless of difficulties, "every effort is made to stabilize employment and earnings to as large a number of employes as possible. The company endeavors to arrange its production schedule in such a manner that peaks and valleys of employment are minimized."

★ Happy New Year! ★

Hayman Asks that MPTOA Hold Conclave in Rochester

(Continued from Page 1)

every effort to bring the session to the Lake Ontario city.

Meanwhile, it is understood that the convention, when the city is decided upon, will be held in late April. MPTOA has not held a national convention for two years, although a board met was held in White Sulphur Springs, W. Va., in October, 1939.

★ Happy New Year! ★

Court Spurns Posen Plea To Block "U" Tender Plan

Justice Morris Eden in N. Y. Supreme Court yesterday denied the petition of Samuel Posen, director and stockholder of Universal Pictures Corp., to restrain the company from proceeding with its plan to retire part of its preferred stock via a tender plan. Court held that insufficient evidence had been presented to warrant an injunction.

Major News Events of Film Industry Year

Executive Changes, Federal Divorcement Bill, Monetary Quota to Fore

(Continued from Page 4)

- George J. Schaefer re-elected president by KAO.
- 15—Admissions increase held answer to war problem by Spyros Skouras.
- 16—Exhibitors must "help pay the freight," warns Joseph M. Schenck.
- 17—20th-Fox stockholders approve Darryl F. Zanuck and Joseph M. Schenck employment contracts.
- 18—B & K 1939 net at \$1,329,964.
- 19—D of J authorized to subpoena major producers as Government witnesses in Equity suit.
- 20—Divorcement only permanent monetary remedy, asserts Col. H. A. Cole, Allied prey. Consent "reforms" not mandatory for Indies; dual standard of operations for industry seen possible.
- 21—Texas suspends industry anti-trust probe. Tendency to increase prints rallied by Sidney R. Kent.
- 22—Equity trial set for June 3.
- 23—Technicolor price drop to cut feature cost \$35,000.
- 24—George F. Dombow and William B. Brenner named National Screen Service vice-presidents.
- 25—Casco independent producers plan association.
- 26—Thurman W. Arnold, Assistant Attorney General, asks Federal divorcement law. Control television to be controlled, T. F. Joyce, RCA vice-president warns film industry.
- 27—Arthur A. Lee resigns as operating head of General-British in U. S.; Isidor Ostrer takes over.
- 28—Allied wants Justice, not Commerce Department, in any film arbitration plan.
- 29—Technicolor reports profit of \$912,614 for 1939.
- 30—Edward A. Sargoy named Copyright Protection Bureau counsel.
- 31—Thurman W. Arnold assailed in House of Representatives for Divorcement Bill support.
- 32—Advertising films must be curbed, MPPDA decides at meeting.
- 33—U. S. distributors accept British monetary quota.
- 34—Paramount 1939 net up \$1,019,268.
- 35—Special Master rules B & K and Paramount guilty of consent decree violations in Chicago; six majors acquitted.
- 36—George J. Schaefer assails long-term exhibitor franchises in Equity suit pre-trial examination.

— MAY —

- 1—George C. Walsh resigns as president and general manager of Netco Theaters, Paramount subsidiary.
- 2—Kenneth M. Young succeeds T. P. Loach as Pathe Labs. vice-president.
- 3—Batlin Amusement Co. of N. J. sues majors for \$550,000 anti-trust claim.
- 4—J. Walter Thompson Co. asks MPPDA parity on sponsored films.
- 5—Australian remittance agreement reported in the air.
- 6—Darryl F. Zanuck sees higher admissions as necessary.
- 7—Stanton Griffiths asks continued independence for pictures—accuses Government of "pointing heaviest guns" at industry.
- 8—Don Lee files plan for television in theaters.

Part Two of Headline Review and Industry Necrology for Year to Appear on Thursday

Part Two of THE FILM DAILY's comprehensive headline review of 1940 and the motion picture's Necrology for the 12-month period will appear as special features on Thursday. Watch for them.

- 8—Samuel Goldwyn hits block-booking; will trade show.
- 9—New Italian proposal requires native distributors.
- 10—David O. Selznick voices opposition to block-booking.
- 11—Ed Kuykendall blames distributors' petty jealousies for blocking fair trade code.
- 12—Neely passage means 25 per cent less films, warns William F. Rodgers.
- 13—Creation of nation-wide television net works seen by David Sarnoff, RCA president.
- 14—Nazi attack on Dutch and Belgians hits \$2,600,000 "take" of U. S. firms.
- 15—Civic groups press for Neely Bill enactment as House Committee opens hearings.
- 16—Pacific Coast Conference plans national drive against duals.
- 17—House Committee rips Neely Bill to pieces.
- 18—Callup to launch nation-wide poll on duals.
- 19—Neely synopsis provision under renewed fire.
- 20—Expect Divorcement measure in Congress will die.
- 21—House hearing tackles block-booking fairness.
- 22—Joseph M. Schenck contract with 20th-Fox renewed for five years.
- 23—Sidney Samuelson admits Neely passage may tilt prices, at House hearing.
- 24—Canadian reforms finalized; national clearance board to be set up.
- 25—C. C. Pettiford on House Neely Bill hearing, sees 50 pictures at 50 per cent due to war loss.
- 26—William F. Rodgers tells House Committee Neely Bill aim is trade advantage.
- 27—Herman Wobber warns House Committee Neely Bill means 15 per cent increase in admission prices.
- 28—Pacific Coast Conference executives call conciliation plan a success.
- 29—Neely Bill spells ruin for Indies, Robert H. Poole of PCC warns House Committee.
- 30—RKO retains Callup for industry survey.
- 31—Andy W. Smith named RKO sales manager.
- 32—Paramount will retrench if Neely Bill passes, Y. Frank Freeman tells House Committee.
- 33—SEC asks slash in RKO reorganization allowance.
- 34—Ed Kuykendall warns Neely Bill spells confusion in House Committee testimony.

— JUNE —

- 1—20th-Fox extends Sol Wurtzel's contract for three years.
- 2—Warners adopts GWTW policy for AT&T.
- 3—U. S. to extend tax on admissions to 1945.
- 4—Monopolistic waste charged by Thurman W. Arnold as Equity suit goes to trial.
- 5—Neely Bill synopsis section called "black-mail instrument" by Austin Keough in House Committee testimony.
- 6—Income tax evasion charges unfair, says Joseph M. Schenck; confident full vindication will result.
- 7—Paramount counsel attacks Equity suit as "class action."

- 8—George J. Schaefer rips Neely Bill in House Committee memorandum.
- 9—Film companies invest \$1,500,000 in nine plays purchased during 1939-40 Broadway season.
- 10—Neely Bill dead; House Commerce subcommittee to draft substitute.
- 11—Government concedes producers' right to distribute and acquire theaters to exhibit own product at Equity suit trial.
- 12—Spyros Skouras urges industry "moral merger" via All-Trade Group.
- 13—Warners forced to acquire theaters in self-defense, counsel asserts at Equity suit trial.
- 14—Government in overtures for settlement of Equity action; agreement in principle referred to Washington.
- 15—IATSE convention rejects "home rule" plea of Hollywood delegation.
- 16—Further film loss seen by Italy's war entry as film shipment schedules are further disrupted.
- 17—Hope grows for U. S. Equity suit settlement.
- 18—FILM DAILY Golf Tourney calls film execs. to Glen Oaks; M-G-M team again champs.
- 19—Thurman W. Arnold joins in Equity settlement parleys.
- 20—A F of M abandons effort to get orks in film theaters.
- 21—Equity suit settlement talks to continue; parleys said developing no serious impasse.
- 22—Metro plans to withdraw GWTW at end of July.

- 23—Mrs. Catherine Blatt, pioneer circuit founder, dead.
- 24—Equity suit settlement talks cover eight points.
- 25—Sweeping revisions of admission tax advanced at Senate hearing.
- 26—Senate Committee wants sliding scale admission tax.
- 27—House Neely Bill sub-committee may be semi-permanent.
- 28—Atlas was blocked on divorcement for RKO.
- 29—Floyd B. Odium tells court at RKO hearing.
- 30—Allied for "resistance wall" on film rentals at Chicago convention.
- 31—U. S. offers new clearance plan in equity settlement discussions.
- 32—Allied was on booking of "A" features on multiple programs.
- 33—"Still a long way to go" in equity settlement parleys.
- 34—Fabian Brooklyn pool extended for five years.
- 35—Universal retires \$1,275,000 in bonds.
- 36—Allied asks distributors aid to end duals.
- 37—House and Senate conferees agree on 10 per cent admission tax starting at 21 cents.
- 38—House sub-committee defers action on Neely Bill.
- 39—John Gatelee, industry labor executive, dies.
- 40—Outside influence denied in equity suit settlement talks.
- 41—Monogram to move headquarters to West Coast.
- 42—Telecast of Republican National Committee in Philadelphia a success; clear reception along Eastern Seaboard.
- 43—Majors to add defense tax to present admission scales.
- 44—Fair Trade Code re-examined in equity suit settlement talks.
- 45—Nebraska takes Ascap case to U. S. Supreme Court.
- 46—Allen B. DuMont Laboratories get Majestic Radio and Television stock option.



DELUXE

Cesar Romero, as the Romeo of the rackets, sets the vogue for what the well-dressed man will wear for the well-known ride.

TALL, DARK and HANDSOME

20th's natural! . . . loaded with laughs! thrills! tunes!



900 Attend the Funeral Rites for Daniel Frohman

Funeral services for Daniel Frohman at the Little Church Around the Corner yesterday were attended by 900 from stage, screen and other walks of life. The Rev. Randolph Ray, a vice-president of the Episcopal Actors Guild officiated. Four friends of the late dean of American stage producers eulogized his life and character. The speakers were Walter Vincent of the Actors Fund, Rev. Benjamin A. Tintner, chaplain of the Jewish Theatrical Guild, Gene Buck representing the Catholic Actors Guild, and Channing Pollock, the dramatist.

"Fantasia" In Boston's Majestic Theater Jan. 20

Boston—Walt Disney's "Fantasia" has at last been definitely set for the 2,000-seat Majestic Theater to open Jan. 20. Jack Goldstein, formerly with RKO, is handling the local press.

★ Happy New Year! ★

Vic Shapiro With Selznick

Hollywood—Victor M. Shapiro has been engaged to handle special publicity for David O. Selznick Productions. His engagement with Selznick will be limited, because of plans he has made, starting late in the Winter or early in the Spring.

PREEMINENT

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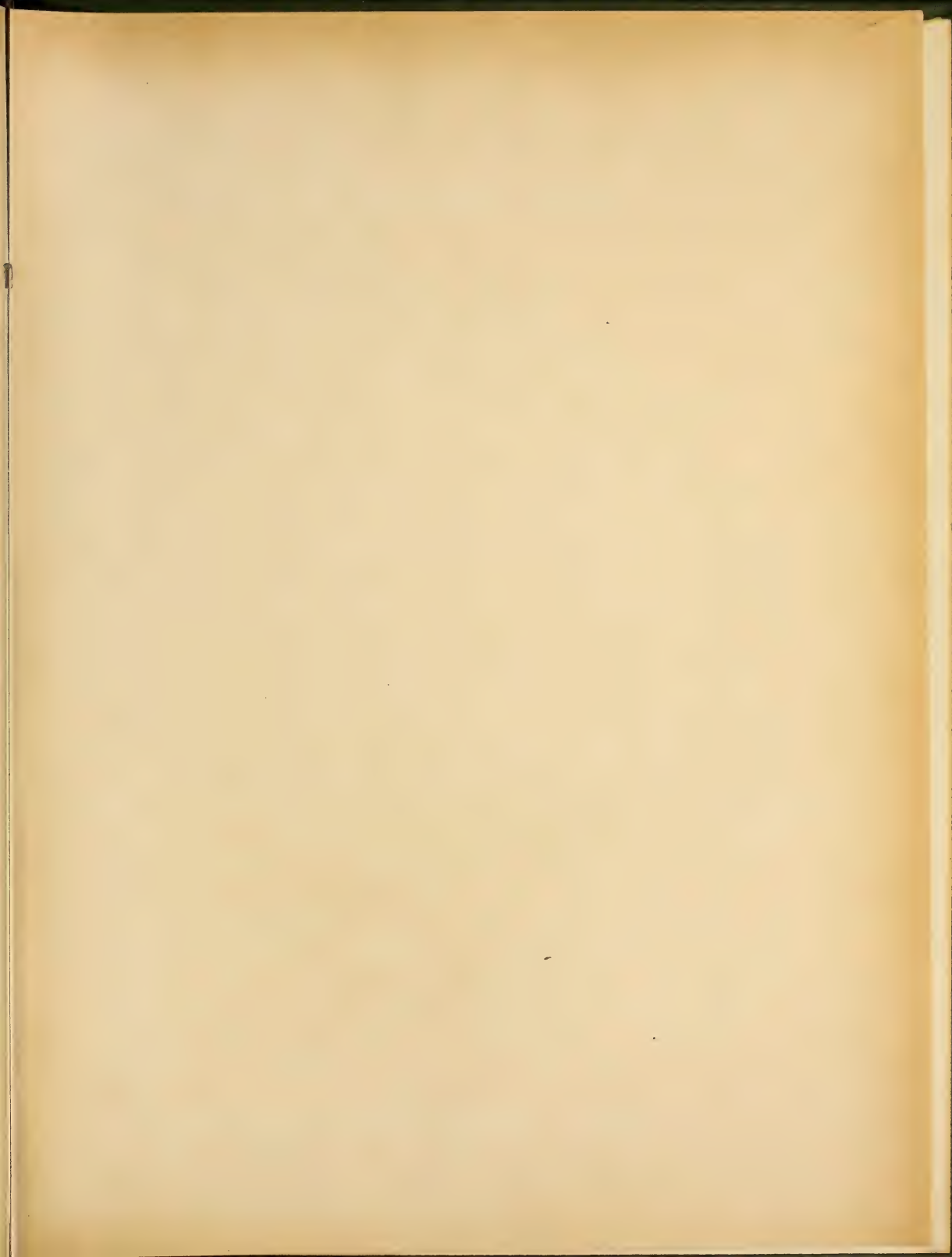
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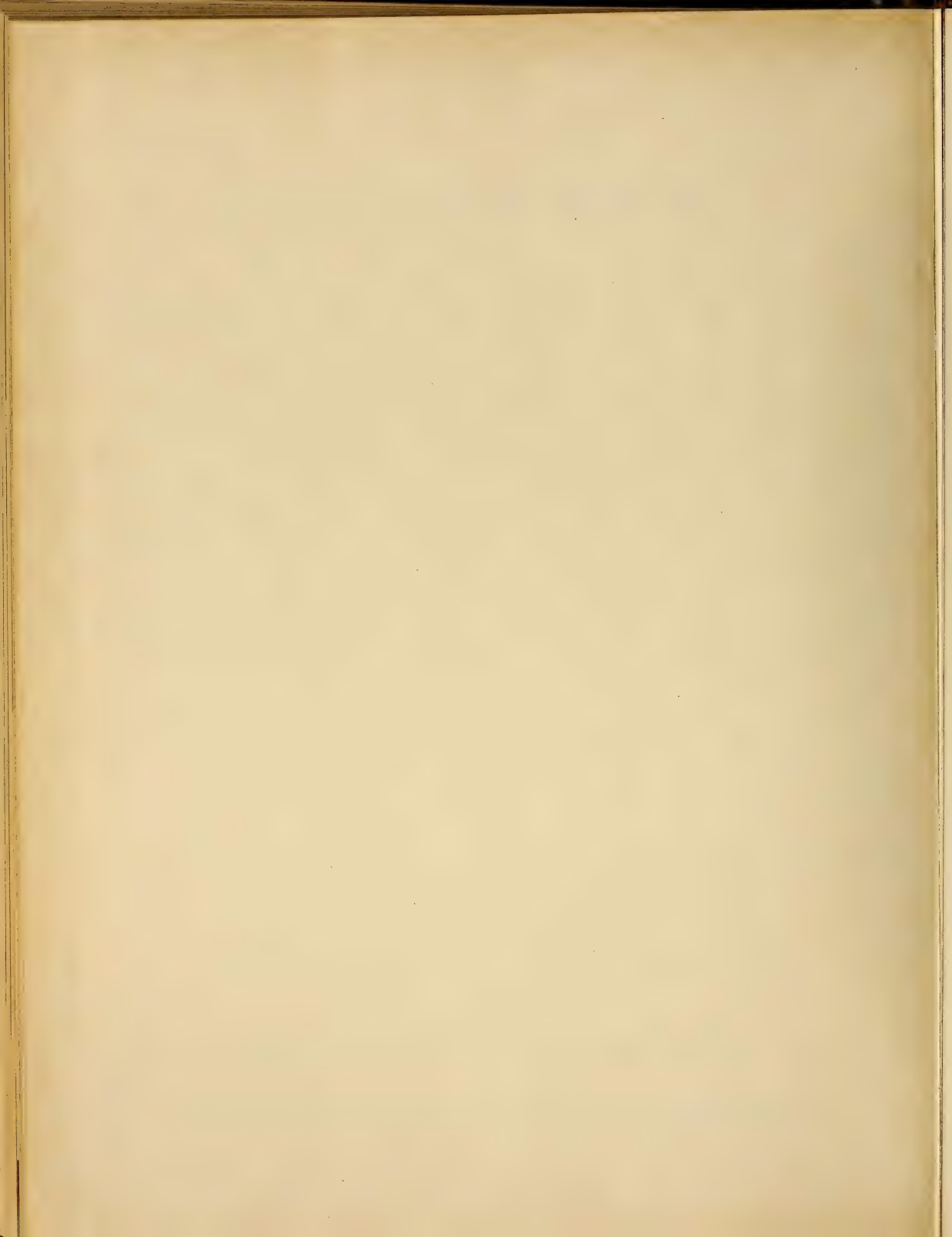
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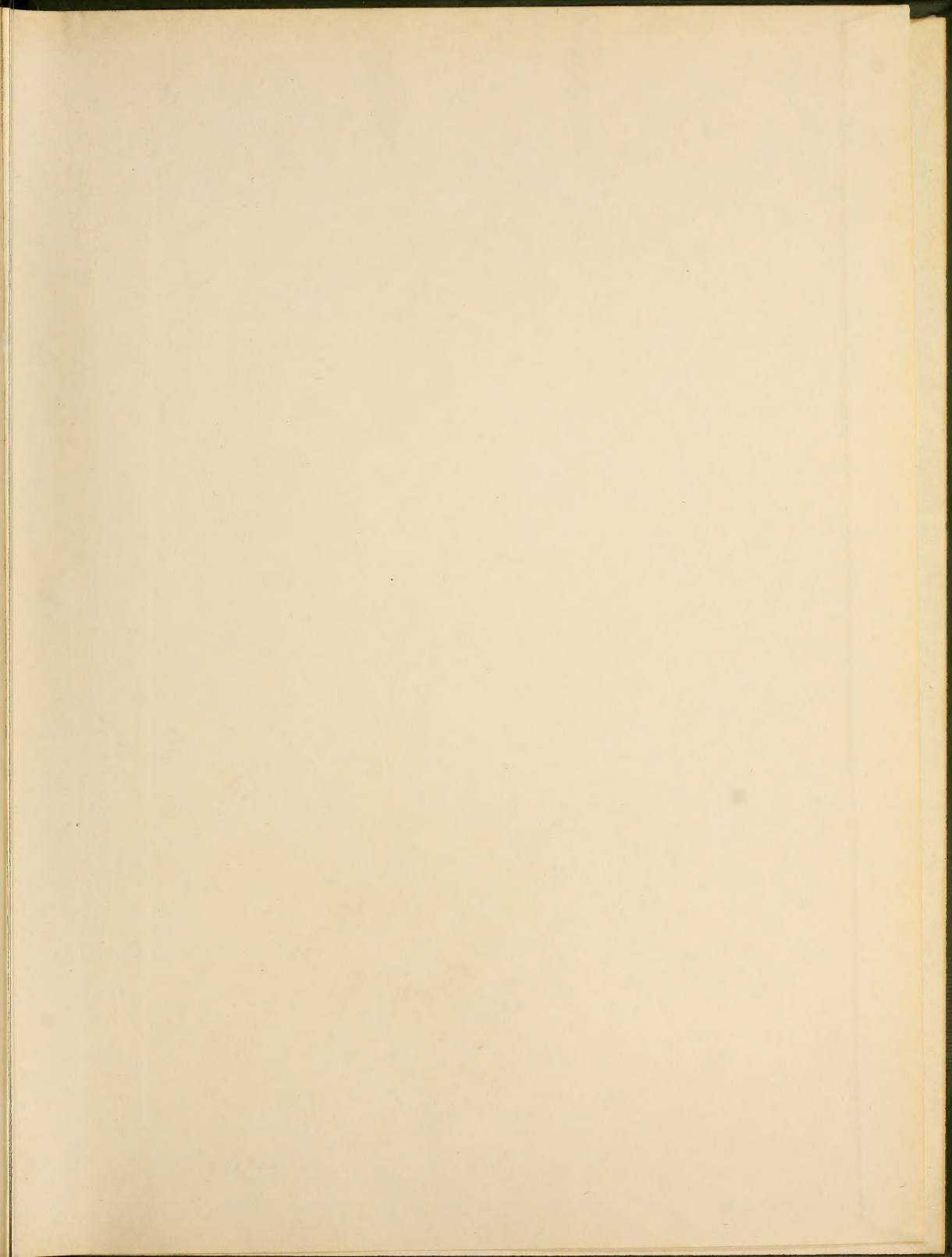
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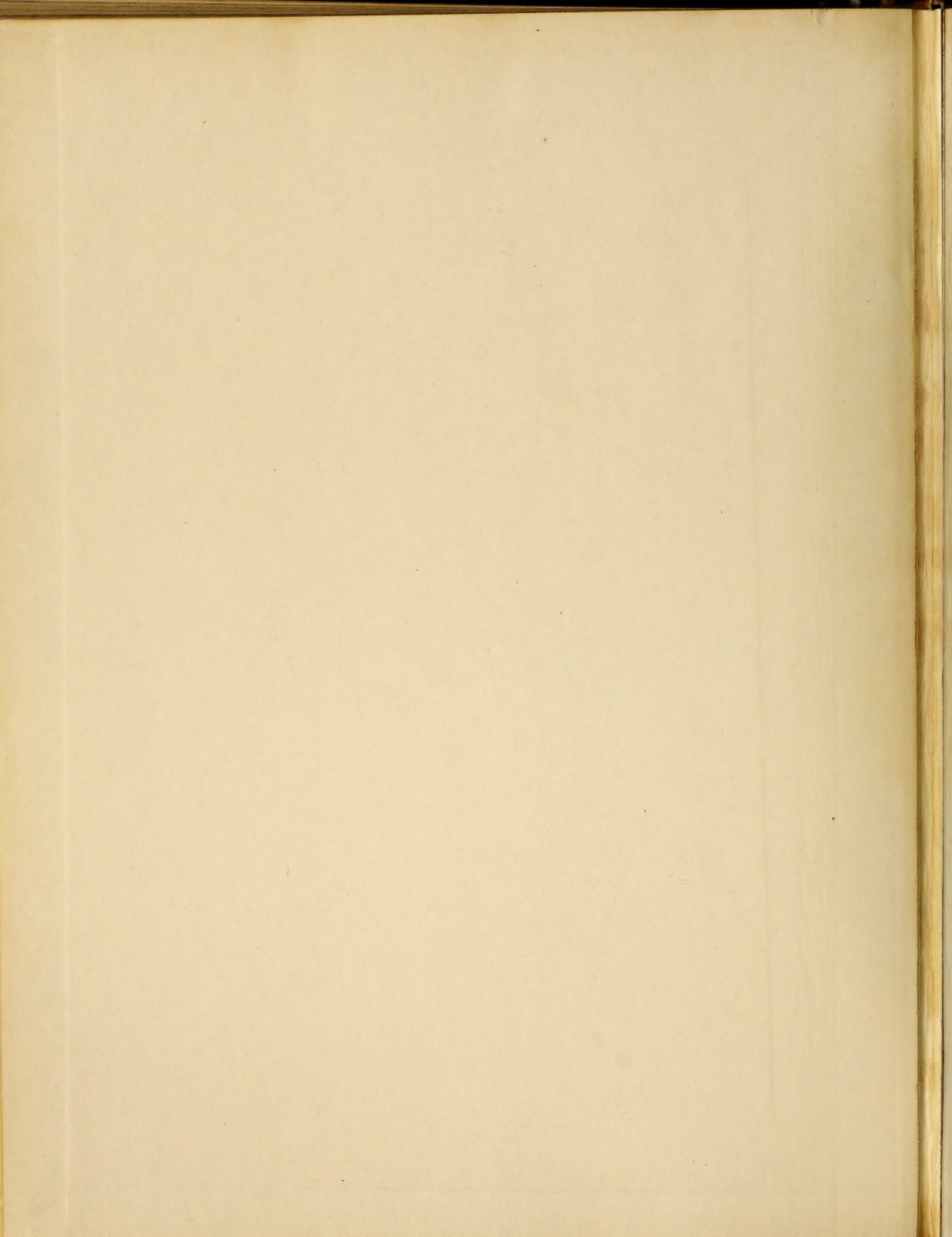
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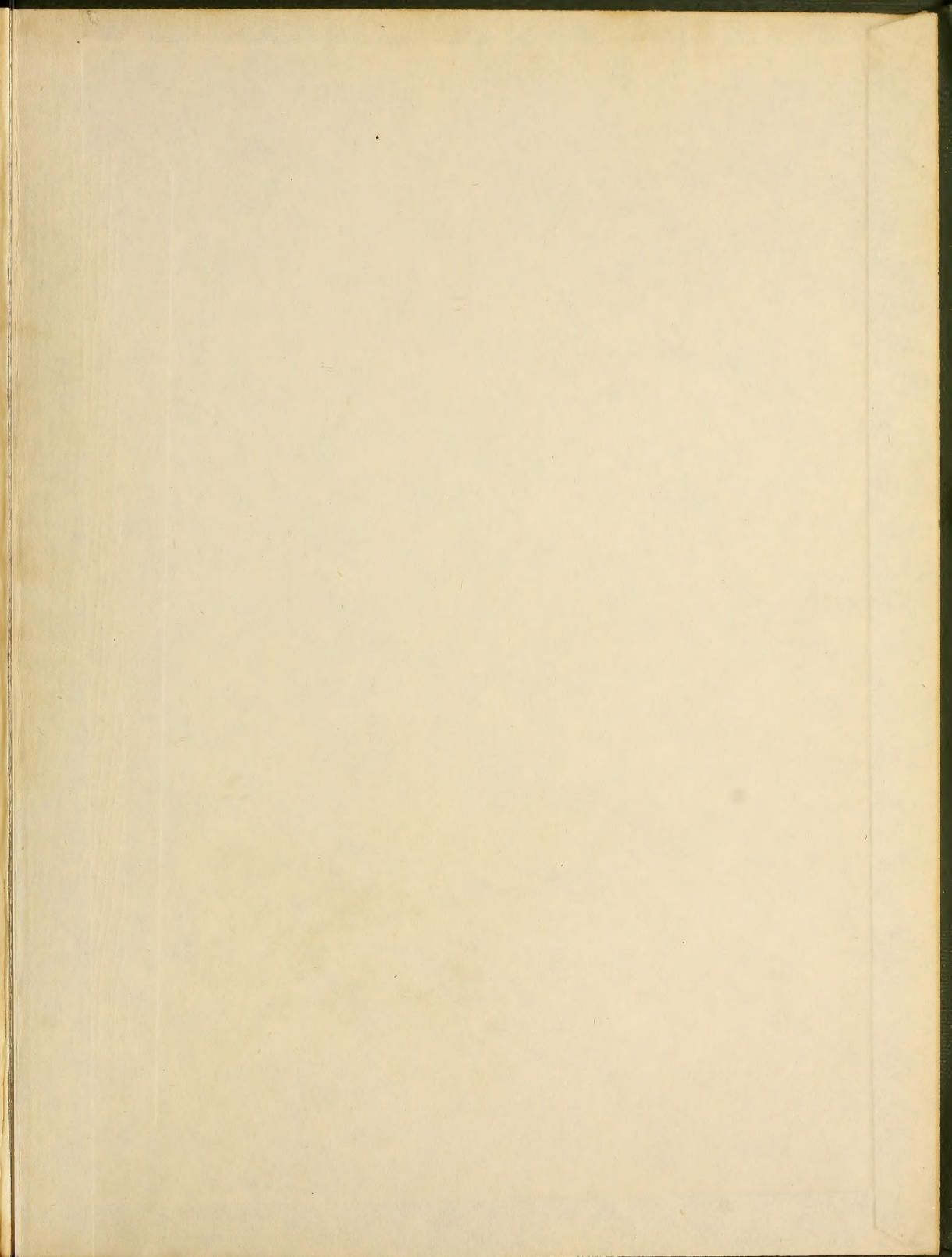
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